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A HISTORY
OF
MEDIAEVAL IRELAND
FROM 1110 TO 1513

THE ABSENTEE LORDSHIP :—

" Mar bara air mo méala, féach gur díol deora,
Go ngabhan gach Rex de réim Eirt Roinn Eurpoir,
A bhfearannaibh féin go faoilidh fir-eoluibh :
—Ach Banba i bpéin gan céile ir í pórta.

" To crown our grief, behold a tale for tears,
How every one of Europe's many realms,
Is happy, mated to its rightful king
—Save Erin, wedded to an absent lord.

(Translated from the above Irish of
AEGAN Ó RAITHILE *circa* 1700*)*.

A HISTORY

OF

MEDIAEVAL IRELAND

FROM 1110 TO 1513

BY

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FOREWORD

THE present work embraces the History of Ireland from the last native High Kings to the " All-but-Kingship " of the Great Earl of Kildare. Mr. Goddard Orpen's *Ireland Under the Normans* (1166-1333) has been an invaluable guide for part of my period, and it is a pleasure to acknowledge my great indebtedness to him. His work is, however, professedly devoted to the history of the Norman colonists, whereas I have devoted more attention to the native side. For the period after 1333 I may claim the merits, as I admit the shortcomings, of a pioneer in a stretch of our history where sources are little known, legends many, and guides almost non-existent. I have not only traced the main course of the political history but devoted much space to institutions, political and social, of the Anglo-Irish and Irish, and to the languages and culture of the races of mediæval Ireland. I trust therefore that this work will help to meet the need for a comprehensive history of the whole mediæval period.

Of recent years Professor Eoin MacNeill's work on Gaelic social and political institutions, and that of Mrs. Alice Stopford Green on Irish mediæval civilisation, have illumined the whole study of our earlier history. Every student of the period up to 1603 must derive from their work both profit and inspiration.

The recent destruction of the Public Record Office, Dublin, is an irreparable disaster. Fortunately *inter alia* the twenty or more volumes of transcripts of *Exchequer Memoranda*, of which I had made abundant use, have survived.

The splendid Harris *Collectanea* in the National Library, Dublin, which I have also largely drawn upon, luckily also preserve for us copies of great numbers of State and ecclesiastical records the originals of which in many cases had already perished. For my MS. materials I have utilised the libraries of the Royal Irish Academy and Trinity College, Dublin; also that of the British Museum, and the Record Offices of London and Dublin. To their officials for their courtesy and help I am greatly obliged, especially to Mr. Herbert Wood, Deputy Keeper of Records, Dublin, who permitted me to use his list of Chief Governors of Ireland, since published. On the spelling of Gaelic names, I have compromised between the native forms, now-a-days often cumbrous, and the anglicised forms, sometimes keeping historic anglicised spellings, which are not unpleasing, such as "Rury," "Turloch," "Calvach," "O'Donnell," etc., but rejecting the barbarous "ough" and "agh" endings in favour of older native forms such as "Nechtan," "Murchertach" and "Donnchad" for "Naghtan," "Murtogh," "Donogh," using "Aedh" instead of "Hugh," and "MacMurchada" for "MacMurrough." More correctly, Donnchad, Murchertach and MacMurchada should be "Donnchadh," "Muirchertach" and "MacMurchadha," but the latter forms are less convenient for the general English reader.

E. C.

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MAPS OF IRELAND

MAP OF IRELAND, *circa* 1160, at end of volume.
MAP OF IRELAND, *circa* 1330, „ „
MAP OF IRELAND, *circa* 1500, „ „

CORRIGENDA

Page 54, *for* " modern church of St. Andrew," *read* " ancient church."
,, 69, note I., *for* " 1174 or 1175 " *read* " 1173."
,, 80, *for* " Vivian de Curcy " *read* " Vivian de Cursun."
,, 93, note, Petronilla was wife, not of this Dermot, but of his grandson, Dermot of Dundrinan, see p. 110.
,, 104, note 2, Orpen, *Ireland Under the Normans*, IV., p. 312, questions the marriage of Gerald with the daughter of Hamo de Valognes.
,, 143, Hubert de Burgh was uncle, not cousin, to Richard.
,, 163, *for* " 1299 " *near* bottom of page, *read* " 1259."
,, 174, note 2, *for C. D. I.*, iii., p. 290, *read* p. 306.
,, 179, *for* " sister " *read* " aunt " of Llewelyn.
,, 179, Thomas de Clare died in 1287, not 1286.
,, 223, *for* " his grandmother Gwladys " *read* " his great-grandmother G."
,, 226, note 2 and 3, *for Just. Rolls*, II., p. 82, *read ibid* p. 466.
,, 253, Arnold le Poer was not Lord of Donohill in Waterford, but held Kells in Ossory.
,, 256, *for* " D'Arcy's ordinances " *read* " Lucy's."
,, 282, Niall Mór O'Neill was son of Aedh son of Donal " of the Remonstrance."
,, 298, note 2, for Fitzwilliams *read* Fitzgriffins.
,, 305, Turloch O'Donnell retired into a monastery in 1422, and died in 1423, see p. 340.
,, 390, Tristeldermot, a corruption of Disert Dhiarmada, is the same as Castledermot.

HISTORY OF MEDIAEVAL IRELAND

INTRODUCTION

THE Kingdom of Ireland was, in the year 1170, already nine centuries old. From Cormac mac Art, who founded the Monarchy of Tara *circa* 250 A.D., descended a line of kings who preserved till the year 1000 a practically unbroken succession in the High Kingship. Even after the usurpation of Brian Boru the name, fact and authority of the Kingdom of Ireland still endured.

This national unity under native Gaelic kings was then shattered by the Norman invasion of 1167-1172, and from this decisive date in Irish history, we may attempt to estimate the value of this ancient civilisation, and the character of this native monarchy.

Extant memorials and contemporary evidence afford sufficient proof that the arts in Ireland at this time were possessed of the main sources of stability and progress; they were native and distinctive in type, and they were at once developing from within, and readily borrowing from the best work of contemporary Europe.

There existed a native and beautiful form of Romanesque architecture, a distinctive form of Christianity which, save for the period of Danish raids, had never lost its original vigour, a whole body of native law, which had been, or was being, written down in great books, a common language, and a vast body of literature in the Gaelic idiom which orally went back to the pagan, and in its written forms, to the earliest Christian age. A Latin literature and civilization depended mainly on the Church. What especially

stamped Ireland was an enthusiasm and preference for the native language and native culture.

In the century and a half since Clontarf (1014) Irish Romanesque architecture reached its highest beauty in Cormac MacCarthy's Chapel at Cashel (1130) and Turloch O'Conor's church at Tuam; while the Cross of Cong, made for the same High King, and the Ardagh Chalice, display at its best the gold and silver work of the time.[1]

Ireland had for centuries possessed a professional learned lay class, numerous and well-endowed, whose generic name was *fili* or sage. Among these the preservation and cultivation of native letters, law, history, state and local records, was steadily pursued. The annals and historical tracts of these latter centuries are abundant; the national epics were collected together in *Lebhor na hUidhre* (*circa* 1100), the *Book of Leinster* (*circa* 1150), and other book-collections which have not survived; and such important State documents were compiled as the *Book of Rights* (*Leabhar na gCeart*), a record of the mutual obligations and prerogatives of the High King and the province-kings, drawn up first about 900 and revised about 1000 A.D. No country in Europe of that time maintained so large a class of *literati*, or one so influential. Members themselves of the ruling Gaelic caste which in the course of a thousand years had imposed its laws, its language, and its military and political supremacy over the whole island, the influence of this widespread intelligentsia was cast entirely on the side of the kings, the aristocracy, and the Gaelic culture.

[1] Petrie, *Ancient Ecclesiastical Architecture of Ireland*, pp. 317-18, says that the ancient church of Tuam, judging by its chancel, which alone remains of it, "was not only a larger, but a more splendid structure than Cormac's Chapel at Cashel." "The triumphal arch of the Chancel is perhaps the most magnificent specimen of its kind remaining in Ireland." For the Cross of Cong see Plate and description in M. Stokes' *Christian Inscriptions in the Irish Language*, Part VI. The carving of the Ardagh Chalice was designed by Finola, sister of Turloch O Conor, and Irish Art owes much to this High King (1119-1156).

Of pure literature, written in the older forms of Irish and going back in the earliest written forms to 600 A.D., a great body has come down to us. Of this literature, much has the triviality of mediaeval letters in general; much is purely traditionalistic, and there clearly was not, save in the case of John Eriugena, one of the subtlest of early mediaeval thinkers, much development among the Irish of the ideas that count. But while in art the Gaels of 1100 were not far behind the best standard of western Europe, the great extant epics of Concobar, Cuchulainn, and the rest, show endless fancy and imagination, and contain some of the stuff of world-literature. The Irish were masters of the art of story-telling; the prose epics in their vivid character-painting, their spirited dialogue, and their true instinct for a situation, seemed to herald the flowering of a great native drama. In what survives of their once abundant nature poetry and personal lyric we find a sense of beauty and of delicate art which is almost perfect of its kind. The Ireland of this time gives the impression of a race mentally quick, adaptive, and eager; civilization had been working for a thousand years and seemed destined to reach great heights. Unhappily, the conquest had the result of throwing back the national genius and bringing into prominence the pedantry and traditionalism which were deeply rooted in the native character.

The sacred and latin culture of Ireland centred round the monasteries. The schools for which Ireland had been so famous, grouped round the great churches of Armagh, Clonmacnoise, Lismore, etc., had suffered much from the Norse raids, but their day, even in attracting foreign scholars, was far from over. In 1098 died Sulien, bishop of St. David's, who had in youth sought "the fields of the Irish famous for admirable learning," and spent thirteen years there.[1]

[1] "*Exemplo patrum commotus amore legendi*
Ivit ad hibernos sophia mirabili claros."

v. Haddan and Stubbs, *Councils*, vol. i, p. 297. The verses were written by Sulien's son.

Saint Malachy (Maelmaedoc O Morgair) was educated at the school of Armagh by one Imar, who, says Bernard of Clairvaux in his biography of the saint, "had the reputation of a famous teacher in the studies which are called liberal." During his journeys later Malachy found and severely rebuked a Berengarian in the city of Lismore. Profane learning and the classics were thus apparently cultivated in twelfth-century Ireland—and heresy is at least evidence of intellectual ferment.[1]

Ireland, moreover, had in Wales, Man, and Gaelic Scotland satellites of her well-cultivated music, literature, and learning. The largest of the still independent Celtic states, she was the mistress and culture-centre for all three.

That the native Gaels were a naturally dull and incurious race was never asserted, even by their Norman or Elizabethan conquerors: on the contrary, Tudor officials found them possessed in a dangerous degree of "pregnant subtil wits, eloquent and marvelous natural." Much barbarism certainly mingled with their civilization, in curious contrast to the remarkably modern tone of much of their literature. In the aimless violence, sporadic wars, and blundering activities of its kings, Ireland suggested Merovingian France. All through mediaeval times the Gaelic leaders were rather battle-leaders than statesmen, and romanticists rather than realists. This, more than any innate backwardness, delayed the progress of the race. Political craft, the heritage of Rome, had not entered into the ingenuous and undissembling Irish mind. Undoubtedly, too, in the externals of luxury and splendour there was a much lower standard than that of Norman England. This race of Gaelic Ireland, which had never been latinized by Rome, teutonized by the Norse, nor catholicised by the Church, certainly presented a strangely non-Euro-

[1] *Life of St. Malachy, by Bernard of Clairvaux*, ed. Rev. J. H. Lawlor (S. P. C. K., 1920).

pean aspect to the Norman-English invaders, but undoubtedly Irish civilization, though peculiarly native, and in some ways isolated, was still a civilization.

To judge the achievements of Irish culture by a cursory survey of the annals is not to do it justice: they are rather to be found in its extant memorials, or in the history of the peaceful reform of the Irish Church which filled up the first three-quarters of the twelfth century.

This latter movement was in effect the triumph in Ireland of the Hildebrandine and Cluniac Reformation, movements which had swept Europe from 1000 onwards. That the Celtic Church did not admit the presidency of Rome cannot be maintained. An ancient canon in the *Book of Armagh* declares that "matters which the judges of the Scottic race cannot solve shall rightly be referred to the See of the Archbishop of the Irish (viz., Patrick's See of Armagh), but if he cannot decide it we have decreed it shall be sent to the Apostolic See, that is to say, the Chair of the Apostle Peter." [1]

Gillebert, bishop of Limerick from 1105, by his tracts, *De Statu Ecclesiae* and *De Usu Ecclesiastico*, launched the whole programme of Reform, namely, to remove lay influence from the church, secure clerical celibacy, create an hierarchy, give Rome the appointment of the bishops, establish territorial dioceses, purify morals, and, as St. Bernard says, "ordain the Roman and Catholic office." But the chief glory of the Reformers was Malachy, bishop of Connor and then of Armagh, who before his death in 1148 secured the willing submission of the south to Armagh, brought back from a visit to Rome the archiepiscopal *pallia*, won at Clairvaux the love and admiration of St. Bernard, and introduced the Cistercian Order into Ireland.

Various synods of the Irish Church from 1110 to

[1] See *Ireland and the Celtic Church*, G. Stokes, ed. Lawlor, p. 332. For the Reform movement see also *Life of St. Malachy*. Dr. Lawlor's Introduction and Notes throw a flood of light on the earlier part of the Irish Reformation, 1100-1150.

1167 enforced this native reformation. At Rathbreasail or Fiadh-mic-Oengusa in 1110 Cellach (Celsus) of Armagh presided as Primate of Ireland, and Ireland was divided into twenty-four territorial sees. Finally at Kells in 1152, before the Rome-sent legate, Paparo, Gelasius of Armagh and three hundred clerics adopted the whole reforming programme, and the *pallium*, the token of Roman approval, was bestowed on each of the four archbishops of Armagh, Cashel, Tuam, and Dublin, who were to rule the provinces of Ulster, Munster, Connacht, and Leinster.

From the first the Reform movement had the support of the kings and lords of Ireland. The High King, Murchertach O'Brien, was present at Fiadh-mic-Oengusa. At the synod of Ath-buidhe in 1167 the High King Rury presided; all the chiefs of the North, lay and cleric, were present; and the presence of thirteen thousand horsemen made the assembly like some great Frankish *Champs-de-Mai*.[1]

In this movement, the monasteries, too, felt the breath of reform, and consented to closer unity and control. The Rule of Columba (Colmcille) was the greatest of the native orders, and Flavertach O Brolchain, the last powerful arch-abbot or "coarb" of Colmcille in Derry, enforced his authority by progresses over a great part of Ireland. In 1158 he was given a bishop's chair with jurisdiction over all the Columban abbeys of Ireland, and in 1162, along with the High King, Murchertach, he began the building, completed in 1164, of a new cathedral in Derry some ninety feet long. To make room for it, he removed eighty houses or more in the city, and the limekiln for his new buildings was seventy feet square.

To revive the famous schools of Ireland was also the aim of bishops and princes. It was ordained at the Synod of Clane (1162) that no one should be a lector or reader (*fer légind*) in any monastic church in

[1] *Annals of the Four Masters.*

Ireland who was not an *alumnus* of Armagh, and in 1169 the High King Rury endowed the *fer légind*, i.e., the lector or professor of sacred and secular learning at Armagh with a stipend of ten cows yearly, for teaching the scholars of Erin and Alba. Thus was recognized, not only the supremacy of Armagh over all Ireland, but the supremacy also of its ancient university, which, had Ireland maintained its independence, might have become a *studium generale* for the whole Gaelic world.

The type of scholar these Irish schools could produce is shown in Flann O Gorman, who died in 1174, then seventy years old, "chief lector of Armagh and of all Ireland, a learned sage and versed in sacred and profane philosophy, who had spent twenty-one years of study in France and England and twenty other years in directing and governing the schools of Ireland." [1]

Unhappily Ireland was not permitted to achieve her own salvation. In other countries the Hildebrandine Popes had been the friends of nationality, and Bohemia, Hungary, and Italy owed their independence to the championship of Rome, but the course of European politics determined that the only English Pope should be the instrument for placing Ireland in her long subjection to England.

The Bull *Laudabiliter*, issued to Henry II. of England in 1154, states the right of the Holy Roman Church, according to the Donation of Constantine over Ireland and all other Christian islands. "Henry has announced to us," declared Adrian IV., "his desire to enter Ireland in order to subdue the people, to make them obedient to laws and root out from among them the seeds of sin; the Irish are to accept him and obey as their liege lord, and he shall enforce Peter's pence and preserve the rights of the Church."

It was clearly intended, therefore, that Henry should, after his work of regeneration, stay and become the lay lord of Ireland. Though no original has been

[1] *F. M.*, 1174.

found in the papal archives of this Bull, the text of which rests on the word of Giraldus alone, that some such document was issued seems irrefutable.[1] Henry had yearned for worlds to conquer in his early youth; since then he had had enough to manage, and possibly would never have crossed the Irish sea had not Dermot MacMurchada been exiled. But then the document worked its potent spell. The knowledge of such an *imprimatur* from the spiritual Head of Europe had obviously penetrated the minds of the Irish leaders, both clerical and lay. Nothing else can explain their amazing surrender before the English King.

With the exception of Laurence O Tuathail, Archbishop of Dublin, the Irish bishops in the crisis were men of childishly pious intellects. Over-impressed with the sinfulness of the laity, despondent over the weakness of the Church, they concluded that the defects and weaknesses of their Church and nation were a justification for subjecting their native land, without seeking terms, to a foreign king who was certainly not a man of lofty spiritual nature, as the one destined by Heaven and the Vicar of Christ to reform otherwise hopeless abuses. The saintly Malachy himself had filled his host, Bernard, with such stories of the barbarism and vices of his fellow-countrymen that the Abbot of Clairvaux wondered that so saintly and lovable a man could come out from such a race. The bishops of the time, so Alexander III. declared later, had also informed the Holy See of the *vitiorum enormitates* of their people, and Ireland certainly had to pay dearly for the pious exaggerations of her spiritual chiefs.

What were the vices and evil customs which, reported to St. Bernard by Malachy, and by the Cardinal-legate, Paparo, to the Papal Curia, found their way to the ears of Pope Adrian and enabled Alexander III. in his letter of 1172 to call the Irish "*gens illa barbara*

[1] The arguments for and against the authenticity of *Laudabiliter* are summed up by Dr. Orpen in his *Ireland under the Normans*, vol. i. pp. 313-318.

inculta et divinae legis ignara"? They were—survivals of pagan or early Christian custom; uncanonical marriage, illegitimacy among the laity, marriage and simony among the clergy, no giving of tithes or first-fruits; evils no worse than are recorded in the wholesale indictments against Germany, Scandinavia, and Anglo-Saxon England by the zealots of the Cluniac movement.[1]

To turn to the question of political progress, we may ask what conception of a State dwelt in the Irish mind? How far was there a government and the machinery of government?

Ireland was at the stage when patriarchal institutions were passing into feudalism. A landed aristocracy had been establishing itself for centuries, and the monarchy was seeking to control this aristocracy.

From 483 A.D. to 1022, with only two intermissions, the royal stock of the Ui Néill of Connacht-Meath, founded by Niall of Nine Hostages, had held the title of *Ard-Rí* (High King) by hereditary succession. The most significant breach in this succession was made by Brian Boru, who began as king of Thomond, North Munster, and finally took the Kingship of Tara from Maelsechlain II. himself. The hereditary sanction thus violated, it was now open to each province-king to enforce the homage of his equals, and be recognized as *Ard-Rí*. Brian's name and fame, however, for over a century practically entailed the High-Kingship to his descendants. It was not till the death of Murchertach O'Brien in 1119 that "Kings with opposition" began.

The rule of eligibility is stated thus in the Annals of Clonmacnoise (1041): "If the King of Leth Mogha could command Munster, Leinster, and Tara (i.e.,

[1] See *Life of Malachy*, ed. Lawlor, pp. xv. and *passim*, etc. The abuses could hardly have been inveterate, for, after Malachy had been three years in Connor, "barbarism was driven out . . . and Roman laws everywhere established" among the people of the North-East (p. 39). Dr. Lawlor discusses these "vices," pp. 160-166. "They were Christians in name, pagans in fact," was the description of his flock which Malachy gave to Bernard, a phrase repeated by Alexander III. later when he conferred Ireland upon Henry.

Meath) and either Connacht or Ulster he was fit to be *Ard-Rí*; but the King of Leth Chuinn must have one province at command, i.e., Leinster or Munster." [1]

In the pagan origins *circa* 200 A.D., Eoghan, also called *Mogh Nuadat*, King of Munster, had been the rival of Conn Céd-cathach, King of Ireland, and from the treaty which ended their conflict originated the historic division of Ireland into Conn's Half (*Leth Cuinn*) and Mogh's Half (*Leth Mogha*) marked by the low hills called Escair Riada stretching from Dublin to Galway. It was a significant and persistent division.

The giving of hostages was the token of submission to a new Ard-Rí, who then distributed stipends of kine, horses, armour and gold to his vassals, and was entitled to military service and the "great tribute of the King of Erin."

Murchertach MacLochlain became High King "without opposition" in 1161, after some years of struggle, by winning the submission and hostages of Leinster, Connacht, Meath, Brefni, and the Dublin Ostmen. Later Rury O'Conor was a true Ard-Rí.

A fatal defect was the want of an acknowledged capital. Tara had decayed after the reception of the Faith: the last royal feast was held there in 559 A.D. by the half-pagan King Diarmid, and the *Dindsenchas* says of these later times:

"Perished is every law concerning high fortune;
Crumbled to clay is every ordinance;
Tara, though she is desolate to-day,
Was once the habitation of heroes." [2]

Less successfully would later kings strive to rule Ireland from Cashel or from Aileach.

The supreme authority of the High Kings and the

[1] The *Book of Rights* lays down that only the Kings of Leinster, Meath, Ailech [Tír Eoghain], and Cashel [Munster] are eligible for the High Kingship of Tara.

[2] Metrical *Dindsenchas*, from Book of Leinster, twelfth century, ed. E. J. Gwynn, Part I.

existence of an Irish State was quite apparent to foreign potentates: the Norse Sagas clearly recognize Brian, "the best of kings," as an effective monarch: in 1078 a Jewish deputation went to Turloch O'Brien to ask that their persecuted race might dwell in Ireland, as if that king could speak for the whole island. The same Ard-Rí Turloch received letters from Archbishop Lanfranc and Pope Gregory VII. addressed "*magnifico Regi Hiberniae.*" [1] There clearly was then, for centuries before the Norman invasion, always a living Head whose safeguard and authority were considered effective from the seaports to the royal *dún*.

The structure of the Irish states may be largely inferred from the *Book of Rights*, a Gaelic state document drawn up first about 900 A.D., and revised soon after 1000 A.D. by direction of Brian. In the later form the supremacy of Cashel, the seat of the Munster kings, to full supremacy over Ireland is asserted. Nevertheless the right of Ailech (the northern Ui Néill), Tara (Meath), and Leinster to possess the High Kingship is admitted. The picture is that of a Heptarchy, composed of Munster (Cashel), Leinster, Connacht (Cruachán), Ailech (Tír Eoghain), Oriel and Ulidia, these three latter forming modern Ulster.[2]

The book details the *jura* of the Irish kings, the obligations of the province-kings to the Ard-Rí, and the rents and tributes due to the province-kings from their under-lords, these rents being so large as to suggest a land very rich in cattle, jewels, corn, and slaves. The "great tribute to the King of Erin" seems to have been paid once only, at his accession, but since the Ard-Rí was also king of a province he enjoyed the recurrent profits of the same and had, like

[1] The "*quinque judaei munera ingentia ferentes*" were unhappily "again expelled beyond sea" and returned disappointed to whence they came, for O'Brien was as bigoted as any king of his time (*Ann. Innisfallen*, ed. O'Conor, *Rer. Hib. SS.*, sub. 1078). For letters of Lanfranc, etc., see Ussher's *Vet. Epist. Hib. Sylloge* (1632).

[2] Another collective name for the ruling Ui Neill of the North was Cenel Eoghain [race of Eoghan].

all the Irish princes, "royal land."[1] The parallel is close with another mediaeval state, viz., Germany, where Otto I, for example, was at once by election King, and by hereditary right Duke of Saxony; and we may style the "stem-dukes," kings after the Irish fashion, they being the real rulers of Bavaria, Suabia, etc., in a Germany which formed one loose federal state.

Apart from the hostages, and homage which was made binding by being sworn on the most sacred relics, the High King had various effective ways of securing loyalty. To invade a king's territory and divide it among more pliable vassals was one method; but to have him deposed and banished by a national assembly of kings and prelates was a method more imposing still. The strong hand rested on the control of the national military levies, of whom most trusted would be they of the High King's own province. The whole system of law had its apex in the Ard-Rí. Every king of a *tuath* (or petty state) or of a *mór-tuath* (group of *tuaths*) presided over the cases in his country and the local brehon made awards; the province-king judged and ruled among the kings of *mór-tuaths*; the High King judged among his vassals, the under-kings, and his "royal Brehon" was the supreme jurisprudent for all Ireland.[2]

The chief strength of the Monarch, as it was in France of the time, was certainly in his own demesnes and his own province. Great as was the prestige of the High Kingship, it had suffered a severe blow in the dispossession of the sacred Ui Néill line. The O'Brien's strove to remedy this by an entente with Armagh, like that which the House of Egbert established with Canterbury. Bishop Gillebert's tract, *de Statu Ecclesiae*, declared that the Primate should ordain and crown the King. In 1002 Brian recognized the tradi-

[1] *Leabhar na gCeart*, ed. O'Donovan, and scientifically discussed in a chapter of Professor Eoin MacNeill's recent book, *Celtic Ireland*.

[2] In *Fragments of Annals*, ed. O'Donovan Colman, abbot of Cenn-Etigh, is called "chief-professor of the judicature of Erin" (*ard-ollamh breitheamhnachta Eireann*), *sub.* 908.

tional supremacy of Armagh over all Ireland and laid a gift of gold on the altar of the great church there: the transaction is commemorated by an entry of his scribe, Maelsuthain, in the *Book of Armagh*.[1] In 1103 Brian's descendant, Murchertach, again left a tribute of gold on the high altar of Armagh, and on the other side of the entente the Primate Celsus made the visitation of Munster and received tribute from every *tricha céd* in that kingdom.

Though the High King's administrative powers were in embryo, they were capable of expansion. His decisions had to receive the assent of an *airecht*, or council, which we may compare to the Angevin *curia regis*, and the general approbation of the prelates and the kings who had elected him. The province-king similarly ruled by the advice of his *airecht* of underlords and local bishops and abbots.

We find evidence of this council in connection with Cathal Crovderg, king of Connacht (1201-24), who was vassal of King John, but ruled his western kingdom by ancient hereditary right.[2]

Cathal O'Conor's inauguration at Carnfraich as King of Connacht (1201) is typical of the en-kinging of a

[1] The ancient *Book of Armagh*, ed. Rev. Dr. J. Gwynn, fol. 16 b.b. The whole Latin entry is "*sancti patri[ci]us iens ad coelum mandauit totum fructum laboris sui tam babtismi tam causarum quam elemoisinarum deferendum esse apostolicae urbi quae scotice nominatur ardd macha. Sic reperi in bibliothecis Scotorum. Ego scripsi, id est Calvus perennis, in conspectu Briani imperatoris Scotorum et que scripsi finivit pro omnibus regibus Maceriae.*": i.e., "Patrick, going to heaven, ordained that all the fruit of his labour both as regards baptism and causes ecclesiastical and questions of alms should go to the apostolic city which is called in Irish, Armagh. So I have found in the libraries of the Irish. I, Maelsuthain, have written this in the presence of Brian, High King of the Gaelic race, and what I have written, he has accepted for all the kings of Cashel."

[2] See the track on 'The Inauguration of Cathal Croibhderg' (*Stowe Coll., Codex III. fol.* 28,) written 1315, edited and translated by O Daly and O Donovan in *Kilk. Arch. Soc.*, Vol. for 1853. The *Síl Muiredaigh*, of whom O Conor was senior, sprang from Muiredach, King of Connacht *circa* 700. Eochy Moyvaen, *circa* 360, was the prime ancestor of all the Connacht "royal races." Note that the "*aireacht*" mentioned above, continues till Elizabethan times, called by the Anglo-Normans "yraght," "eraght," "creaghus," and such corrupt forms, to signify generally a chief and his immediate vassals in Irish law.

provincial dynast. Twelve "coarbs" (ancient bishop-abbots) and twelve chief lords were present. These were the immediate electors, each had some hereditary office and some function to perform—thus MacDermot was O'Conor's Marshal—and each received rich stipends after the event, while O'Maelconaire, chief historian, completed the ceremony by putting the rod of office into O'Conor's hand. We must note that these lay chiefs were "royal chieftains," i.e., they were of close kin to O'Conor and of the same kingly race, the *Síl Muiredaigh*, hence they were free of all but hosting duty. But there were present other vassals of the royal stock, whose lines had branched off eight centuries before: among these "free and kingly clans" were O'Ruairc, O'Reilly, O'Hara, and other chiefs of North Connacht. This form of inauguration, which went back to pagan times, was observed as late as 1315 at Felim O'Conor's election. In a similar manner until the end of the sixteenth century was O'Neill "en-kinged" at Tullahoge. This ceremony of close aristocratic election affirmed from reign to reign the mere life-tenure of the king's office, and O'Conor or O'Neill was set up in the eyes of all the ruling races of their province as representing that ancient founder's kin from which their own blood had diverged.[1]

[1] In a grant made by this Cathal Crovderg, *Dei gratia Rex Connaciae*, as he styles himself, of five marks *per annum* for ever, to the Church of Citeaux in France, among the testators are: the Archbishop of Tuam and four other bishops, MacDermot "comes de Magluirg." MagAirechtaigh "dux Cloind Tomaltaigh," O Flanagan "dux de Cloind Cathil," O Floind of Sílmaelruain, Fergal O Taidhg [who is called "duke of the household of O Conor," in Irish *dux lochta tige*, in *Loch Cé* 1226], Torbert "our seneschal," Concorde [? Concobhar] "our Chancellor," and Donat "our clerk." See *Irish Cistercian Docs. at Dijon*, Orpen, *Eng. Hist. Review*, 1913, p. 303. Torbert, the seneschal, a man of Norse-Irish [Gall-Gaedheal] race, is also called "*rechtaire*" in *Loch Cé*, i.e., he supervised O Conor's rent-collectors or *maors*, and heard law-cases as deputy for the King. A similar office was held by Donal Kavanagh, who was Strongbow's "Seneschal for the Irish of Leinster." These would represent the "*airecht*" or Council of the King of Connacht. The "*airecht*" of a High King, resembling the Witan of the Anglo-Saxon Kings of England, is named in a land-grant of about 1161 by which Murchertach MacLochlain, King of Erin, frees the Church of Ard-Brecain in Meath from tribute

But no such general and solemn inauguration was applied to the kings who ruled Ireland. The High King became so by submission, willing or unwilling, of the province-kings, by their "resorting to his house," by hostage-taking, homage, and bestowal of stipends in return. Of solemn consecration by the Church I find no trace. Once in 993, however, according to the *Four Masters*, Muiregan, bishop of Armagh, on his visitation of Tír Eoghain, conferred the royal dignity on Aedh, son of Domnall, in presence of the Congregation of Patrick, but it was only as king of Ailech.

There was no parallel in Ireland to the English sheriff, that local agent of central power, whom the Angevin kings utilized with such effect. The High King and sub-kings had stewards (*maoir*) who collected their tributes and were under the supervision of a chief "*maor*" or "*rechtaire.*" But it was pre-eminently the king's personal duty to travel round and enforce his rents, hence the "hostings" of which we read so much: a king who could not show himself with power and dignity to his people was in danger.

The kingdom of Ireland was for legal purposes divided into provinces or *cóigedha*, from *cóige*, a fifth, a word recalling the old pentarchial division. Each of their dynasts bore the name of *Rí Cóige* or *Cóigedhach*.

Each *Cóige* was again divided into *Mór-tuatha*, each with its *Rí*. The size of these areas may be inferred from Laoighis (the later Queen's County) which was one *Mór-tuath* of seven *tuatha* under the royal clan of O'Mórdha. The king of a *Mór-tuath* should have at least three *tuatha* under him.

The *tuath* (an ancient name for tribe or people), which also had its *Rí*, corresponded to the English hundred. Finally the townland or *baile* represented

to "the race of Loegaire" [i.e., the immediate overlords]. The deed is confirmed by the archbishop of Armagh, the bishop of Meath, Dermot, King of Meath, and seven under-kings of Meath. See *Gaelic Charters from the Book of Kells*, Gilbert's *National Facsimiles of Ireland*, vol. ii. Plate LXI.

the lowest unit of administration and contained some three to four thousand acres.[1]

While the province-kings were elected, the choice falling on the dead chief's eldest son or brother if the son were incapable or a child, it would appear that the lord of a *mór-tuath* had power himself to appoint the *rí tuaithe*, who was thus little more than an administrative official like the Anglo-Saxon ealdorman.[2]

All through the whole Gaelic system, election from a close kindred, supposed to be of the same blood with the ruling families of the territory, was the rule.

The Ard-Rí himself was also king of a *Mór-tuath*: the five cantreds or *tuatha* of Sil Muiredhaigh (modern Roscommon county) were thus O'Conor's demesne as King of Connacht, and two O'Conors were successively High Kings.

Kingship, and indeed all chiefly office, was by the election of the local great, both lay and spiritual, and this aristocracy was a check to all development of personal autocracy, for the electors of a king could also depose and call him to account.

The parallel to the hundred and shire courts of the Anglo-Saxons does not appear, but there were periodical meetings (*airechta*) either of provinces or districts for settling law cases and promulgating local or general ordinances. These were attended in great numbers by the free classes, and in Elizabeth's days it was noted

[1] A name corresponding originally, it would seem, to the *tuath* was *tricha céd* (" thirty hundreds "), i.e., an area containing thirty *bailes*, according to O'Donovan (*F. M.*, III, p. 27). The Normans equated this with the word cantred which they introduced. It is clear, however, that by 1100 the *tricha céd* was generally much larger than the *tuath*, probably it represented the absorption of several *tuaths* in one larger unit. Giraldus evidently equates *tricha céd* and cantred (in Welsh " can-tref "), for he defines the latter as consisting of a hundred villages (*villae*) with thirty families in each (i.e., 3,000 families in all). According to the law-tract, *Uraiccecht Becc*, the *tuath* had to provide seven hundred fighting men. According to Keating, there were 185 *tricha céds* in Ireland (Keating's *History*, ed. David Comyn, pp. 113-131).

[2] *Meguidhir Fermanach*, an historical tract relating to the fourteenth century, though of seventeenth century recension (ed. Rev. P. Dinneen), shows Maguire, lord of Fermanagh, appointing the heads of the twelve *tuaths* which comprised that country (p. 75)

how attached the Irish were to these "parles upon hills," and how loyally they observed their own statutes.

The Brehon class, the jurisprudents in the Irish law (*Féineachas*), who made their awards in the midst of the nobles and freemen, and were rewarded with part of the fines, were so numerous that every *tuath* must have maintained its own. Yet the *breithemh* (judge) was but an arbiter; every king, high or low, presided over the trials, could impose criminal penalties and enforce them.

The ancient and customary rights of provinces and states in Irish law were so close-woven and stoutly maintained as to offer great resistance to a real monocracy.

But Scotland had shown how the problem could be met. Malcolm III. (1057-1093) "made earls of the toparchs of the greater clans, who in Irish speech were called Mórmair; these toparchs were always of one and the same family." Malcolm's Normanized descendant, David (1124-1153), turned the elective Gaelic chiefs (*Mór-maers*) of Morebh, Lemain, Fif, etc., into the seven hereditary feudal earls of Moray, Lennox, Fife, etc. This was in effect doing what Henry VIII. did when he made earls of O'Neill and O'Brien. In Ireland the title *Rí* was at least becoming limited to the provincial kings. We have seen in Cathal Crovderg's charter how his sub-kings were content to style themselves *Dux* or *Comes*. The further step of turning province-kings into earls under one supreme king, however, was not to be achieved.[1]

The king, great or small, received a personal demesne to support him in his office, out of the "royal land," from which his nearer kin had to be provided for; along with that he got the tributes and military services of his country and the right to quarter mercenaries (*ámuis*) on the whole territory.

[1] See O'Conor's *Rer. Hib. SS.*, vol. ii. *sub.* 1020, Tigernach. Terry, *History of Scotland*, and MacKenzie, *Scottish Highlands*, p. 389, and *passim*. For "*duces*" and "*comites*" in Irish charters see pp. 20, 21, 41-42, here.

Though the law pre-supposed that the land of the free kin (*fine*) could not be alienated without consent of all, in fact the possession of private land was sanctioned, and this "*dimbadh*" land was distinguished from "*coibne*" (kindred land), just as Anglo-Saxon "folkland" was from "bocland." The spoils of war, whether in acres or in booty, were private property, and the more a *flaith* or lord could win land, wealth, and vassals, the greater his son would be. "Hereditary to the chiefs are their acquisitions (*faghla*)," says O'Dubhagain's Topographical poem.[1] In this race for seignory, the High Kings and the province-kings would naturally possess every advantage. Thus feudalism grew, and in time would have produced its own remedy, the feudal king.

An eminent authority combats the persistent statement that Irish society was based on tribalism.[2]

Whatever the final conclusion on this matter may be, it was clearly a society based more on blood ties and long ancestry than was Anglo-Norman England. The Irish mediaeval king, like the kings of England and France, legislated and governed "by the advice of his barons." But in England the barons were territorial magnates of no antiquity, and often enemies to the Anglo-Saxons they governed, and it was possible for the Crown which had enfeoffed, to depose them. In Ireland the Gaelic king's "barons" were heads of powerful families allied in blood to the king himself, and associated by history and popular choice with the country they ruled.

The ruling races were pedigree-proud to a fault, for genealogies which proved a man's noble descent proved also his claim to land. That your "Rí" should be of kindred blood to you, near or remotely, was essential, and an O'Conor foisted upon Meath ran the risk

[1] *Topographical Poems of O'Dubhagain and O'Huidhrin*, ed. O'Donovan.

[2] Eoin MacNeill, *Celtic Ireland* and *Phases of Irish History*, *passim*. For Irish land systems, early and modern, see also Bonn, *Englische Kolonisation in Irland*. I owe a great debt to all three books.

of being murdered by some partisan of the lawful O'Melachlin as " a stranger in sovranty." [1] That the primitive blood-tie and patriarchal lordship should endure more bindingly in Ireland than in Norman England was natural, for almost alone of European nations the Irish Gaels had held their ancient seat and preserved their social structure for fifteen hundred years.

The bearers of the eponymous names of O'Neill, O'Conor, etc., which arose in or soon after 1000 A.D., may certainly be called " royal clans," though, indeed, so may Plantagenets and Habsburgs, but neither were their numbers large, sprung as they were from one man of that date, nor was each bearer of it eligible to rule. The right of succession to the kingship was in fact limited by law to the *Rig-domnas* (*materies regis*), i.e., the male descendants of the great-grandfather of the reigning chief, who were members of the kin-group called *derb-fine*, or " true family." Many internecine wars arose, therefore, for if an O'Conor who was on the outside ring of the *Rig-domnas* could not secure the chieftainship by force or favour in his own time, his descendants were forever excluded from succession. This was the defect of a custom which was designed to ensure that the royal stock should never expire, nor the country fall by conquest or marriage into the hands of strangers.[2]

If we compare pre-Norman Ireland with that Northern Europe which was never Romanized we shall find that the Celts, Goths, Norsemen, and Saxons of the age before 1100 have more law and custom in

[1] *Tigernach*, 1144

[2] This important point is worked out by MacNeill (*Phases*), who notes that there is no evidence of a *rig-domna* before 867, after which the son generally succeeds, sometimes the grandson, i.e., hereditary succession and even primogeniture was displacing free election and consequently favouring the growth of feudal lordship. The numbers of the royal " clans " were never large, even after several centuries from the eponymous ancestor, thus in Elizabeth's reign " Sir Conor Maguire could make almost of his own surname 120 horse, and 600 foot " (*Description of Ireland*, 1598, ed. Hogan), i.e., the Maguires would be about 700 men, of whom, however, but some twenty or so would be *rig-domnas*.

common than they have in difference. We might instance on the Irish side the *eric* and *enachlann* (honour-price), i.e., the atonements for offences; the *corp-dire* or *wergild*, rising higher in the higher ranks of society; the communal village; and the grading of inferior ranks into the *saor-chéile* and *daor-chéile*, i.e., free and dependent tenants, like the *sochman* and *gebúr* of pre Norman England.

We find also the feudal parallel between Ireland and her neighbours, as all alike entered into the general circle of mediaeval Europe. Thus the *saor-chéile* receiving stock from a *flaith* or lord by short contract, and failing to fulfil his bargain, was reduced to the status of *daor-chéile*, and suffered in legal worth. The picture suggests the decline of the free *ceorl* into feudal serfdom.

Customary tenants, villeins and cottars are represented by the Irish *biataigh* (food-providers), called *betaghs* by the Normans, *bothachs* and *fuidirs*.[1] At the top of the social structure are the "*saor-chlanna*," the free races, such as the "Ui Briúin and Síl Muiredaigh, free tribes [and kinsmen of the royal stock of Connacht] equally noble with the king of Cruachán who do not go on war-hostings except for pay, and for whom if they are killed the king gives eric to their chief."[2]

To grant lands and privileges by way of charter was among the highest prerogatives of feudal monarchy. This feature of sovranty had existed for centuries in Ireland. The consent of the lord of a *mór-tuath* was necessary to grants made in the *tuath*; confirmation by the province-king was essential within his kingdom; and when the High King confirms a grant made by an under-king of another province he does so in virtue of his final overlordship.

A charter of Dermot MacMurchad about 1166 grants

[1] O'Donovan in a note to *Four Masters*, III. p 27, says the *biatach* held land on condition of supplying food (*biadh*) to those billeted on him by his lord. Hence the *baile biatach*, a thirtieth part of a *tricha ced*.

[2] *Leabhar na gCeart*, p. 87.

to Edan, bishop of Louth, for the use of All Saints, Dublin, the townland of Baldoyle (Balidubgaill), with its villeins ("*homines*"), free from food-tribute and hosting (*procuracio atque expedicio*). The deed is attested by MacGillacolmoc, one "MacGunnar," and Aralt and Ethmarcach MacTorcaill. The first name is that of the Irish overlord of that part of the Norse territory of Fingall; the second is some Ostman landowner; the two last belong to the family of the Ostman Jarls of Dublin which had taken the Norse-Irish surname, "Mac Thorgils." Thus the MacTorcaills are the local lords, MacGillacolmoc the overlord; and the King of Leinster, suzerain of them all, is able to will away land and royal rights with the consent of the underlords concerned.[1]

Some time earlier Murchertach MacLochlain, King of Ailech and High King from 1161 to 1166, gave a most imposing charter to Newry Abbey which begins thus: "*Mauritius mag Lochlain Rex totius Hiberniae universis magnatis suis, subregulis, principibus, ducibus, clericis et laicis omnibusque et singulis Hiberniensibus presentibus et futuris.*" By unanimous will and consent of the kings and magnates of Ulster, Oriel and Iveagh Murchertach grants to the abbey the lands of Ui Cormaic, etc. Witnesses are the Primate of Armagh for Ulster bishops, eleven *reges* and *duces* and many others, cleric and lay. Here the High King makes a grant in the territory of a vassal, the King of Iveagh, who gives his assent; the bishops of all Ulster and the chiefs of a large part of the province attest. Those who belong to Oriel and Ulidia thus admit the sovereign right of Tír Eoghain, for Oriel and Ulidia were not yet integral parts of the kingdom of Ailech.[2]

That other feature of monarchy, legislative power, had long been exercised by Irish kings. Cormac mac Airt, *circa* 250 A.D., King of Tara, was the traditional

[1] *Reg. All Hallows*, ed. Butler, p. 50.
[2] Dugdale's *Monasticon Anglicanum*, 1830, vol. vi Part II. p. 1133.

hero-legislator of the Gaels, and some legal decisions of his are in the *Book of Acaill.* Sometimes the monarch legislated alone or by advice of his council, sometimes he judged and legislated in the midst and with the consent of great national assemblies. Thus in 858 Maelsechlain, High King, and the Bishop of Armagh presided over a *Rig-dáil maithe Erenn* ("royal gathering of the nobles of Erin") at Rath-Aedha, where "peace was made throughout all Ireland and Cerbhall, king of Ossory, submitted to the High King according to the decision of the Successor of Patrick." [1]

The reforming synods of the twelfth century were great national gatherings of kings, lords, and prelates presided over by the Ard-Rí. Here was an all-Ireland authority capable in time of becoming a true lawmaking body like the *Magnum Concilium* of England.

In such a *Rig-Dáil* or *Mór-Dáil* as that of 858 were decided the law-cases of the great. The *Annals of Ulster* record under 1157 how a feud between Donnchad O'Melachlin, King of Meath, and O'Coindelvan, a vassal of his, was composed at an assembly held before the High King, Murchertach Mac Lochlain, where O'Coindelvan was put under solemn protection of the laity and clergy of Ireland and found sureties in the prelates of Armagh, Derry, and Clonmacnois, the High King, and other great lords. In spite of this Donnchad later slew O'Coindelvan. Thereupon at the Synod of Drogheda the assembly, which included the High King and the kings of Brefni, Oriel, and Ulidia, excommunicated Donnchad, who was adjudged to be banished and his brother Dermot put in his place.

Thus though the Irish monarchy was tardy in its growth, there was a national will and a central command. These national assemblies were often incomplete, for Munster resented the supremacy of the North. Still a strong king, acting as final arbiter, could in time

[1] *Fragments of Annals.* A better instance of a *Mór-dáil* and its legislative action is the Convention of Drom Ceat, 575, see *A. U.* and Keating, ed. Dinneen, III. p. 78.

through such assemblies have enforced a real monarchy.

To conclude this survey of pre-Norman Ireland. Several of the requisites of a true civilization were, it is often said, lacking. There was no true coinage, save among the Norse-Irish, and ring-money or pieces of gold and silver measured in ounces served for tribute purposes and instead of barter.[1] As regards shipping, the earlier Irish were as much advanced as their northern neighbours: their missionaries and traders used the foreign ships which traded in Irish ports, or native gallies propelled by oar and sail. The Norsemen taught Ireland as they taught the Anglo-Saxons how to build heavier gallies, and henceforth there is abundant evidence of the prevalence of shipping for both trade and war.

Town-life, it is said, was alien to Irish civilisation till the Norse came. Certainly the Gaels were mainly a rural race, like all the Northern peoples till the founding of towns began in the tenth and eleventh centuries. Nevertheless, they had towns from the age of Patrick onwards, but these were monastic centres: such as Cashel, Lismore, Cork, which are styled cities (*civitates*) in the *Life of Malachy*, and Kildare, Durrow, and others, the schools and abbeys of Ireland's Golden Age. That there was a considerable population in these cannot be doubted. In Armagh there were seven churches, and the city was divided into the Rath, the Great Third, the Third of Massan, and the Third of the Saxons (*Trian Saxan*), i.e., the quarter formerly frequented by English students. Around these sacred places, and protected by their walls, dwelt lay traders and hereditary craftsmen practised the gold

[1] Lynch, author of *Cambrensis Eversus*, states that silver coins were struck at Clonmacnois, but if this is true, none have survived. In St. Patrick's time a *cumal* of silver was worth three cows (MacNeill in *Irish Monthly*, August 1919). When Flavertach O'Brolchain, abbot of Derry, made the visitation of Ossory in 1161 his due was 140 oxen, but instead he elected to receive 420 ounces of pure silver, i.e., the cow was worth three ounces of silver.

and silver work which they carried to so high a level.[1]

From 850 onwards the Norsemen seized the chief ports and built walled towns there, centres for piracy and trade. Sometimes, as at Cork, they found a populous centre, both of piety and civilisation, already existing, and utilised it. In any case, the Norse city-states, which stretched from Limerick round by the south coast to Dublin, had become an integral and valuable part of the Irish State.

Roads connected the main centres of life. The most important were called *slighe* (high way) or *bealach*, the *bothar* was a local way and the *tochar* a causeway. The five great roads which emanated from Tara, viz., Slighe Mór, Slighe Dála, Slighe Asail, Slighe Cualann, and Slighe Midluachra, were connected and continued by smaller roads. Tradition attributed the five to Conn Céd-cathach, King of Ireland about 200 A.D., and they were probably modelled on the Roman roads of Great Britain.[2]

The Norman armies, composed of heavy cavalry and foot and war train, thanks to these roads, found no difficulty in penetrating any part of Ireland.

[1] Sitric MacAeda, who made the box-cover, wrought in silver and brass, of the *Cathach* of the O'Donnells, *circa* 1100, and who was called *Cerd* (the artificer), belonged to a family of hereditary craftsmen in Kells, Meath, where he had a house. See Stokes, *Christian Inscriptions*, Pt. vi. p. 92. Dermot MacMurchad, King of Leinster, had a *tig* and *caisel* (house and stone fort) and a *villa* or town at Ferns, where there was apparently a considerable urban population. See later.

[2] Hogan, *Onomasticon*, quoting from *Book of Ballymote*, says the "Three Belachs of Erin" were Belach Conglais, Belach Luimnigh, and Belach Atha-cliath, leading respectively to the city of Cork, of Limerick, and Dublin. I suggest these were trade routes from the Ostman cities into the interior. For a case of a Norman army using the great roads, see Chapter III. here, p. 89.

CHAPTER I

TO THE EXPULSION OF DERMOT, 1166

With the death in 1119 of Murchertach O'Brien, King of Ireland, came to an end the Dalcassian supremacy founded by Brian the Great. Murchertach and his father, Turloch, had been regarded by Pope Gregory VII., by Archbishops of Canterbury, Lanfranc and Anselm, by Magnus Barefoot of Norway and other European potentates, as kings representative of an Irish nation.[1] Now kings "with opposition (*co fresabhra*)" began the rivalry that in the end ruined the Gaelic State.

The *Book of Rights*, as edited in Brian's interest, had declared, "When the king of Cashel is not king of Tara [Ireland] he is king of Leth Mogha." But the Eoghanacht MacCarthys never acquiesced in this claim of the usurper Brian's race to rule all the South from Cashel, and the contest of the two families over Munster fatally weakened the province before the Northern Half.

From and about the year 1000 A.D. out of the old wide royal stocks emerged close dynastic families taking name and claim from some one king of the time. MacCarthy becomes the hereditary eponym of the Eoghanacht kings of Desmond, the Ui Néill of Meath took O'Melachlin; MacMurchada arose in Leinster, O'Cervall in Oriel, in Brefni O'Ruairc, and in Connacht O'Conor. After 1036 MacLochlain becomes the eponym of the Northern Ui Néill, but finally the name of O'Neill from Niall Glunduv, slain in 917, prevailed. So in Tír Conaill—at first O'Maeldory and O'Cannanain are

[1] See formerly, p. 11. and for other letters to Murchertach, Ussher's *Sylloge*. A daughter of Murchertach married in 1101 Arnulf de Montgomery, Lord of Pembroke, brother of Robert de Belesme, Earl of Shrewsbury; another was betrothed to Sigurd, son of Magnus Barfod, King of Norway.

kings; then finally the famous names of O'Donnell overcame these kindred stocks.[1] In Ulidia the royal name became MacDonlevy.

In state and style the Irish kings were now approximating to the kings of Europe. Their charters, as we have seen, show a new conception of monarchy, and clearly they did not forget Brian with his "*Imperator Scotorum.*" New ideas of organised conquest are seen in their bridges, their fortresses, and their fleets. They are seen forsaking the ancient hill-top *dúns*, such as Cruachán and Ailech, and building fortresses in the plain, commanding the coast and the great rivers. Seeking real capitals worthy of kings, they fixed their seats among the now Christian and half-Irishized Ostmen of the Norse towns.

Thus in 1051 Dermot, King of Leinster, was accepted by the Norsemen of Dublin as "King of the Foreigners of Ath-cliath," and in Dublin entertained during the winter of 1051-2 the exiled Harold Godwinson and his brothers. His successors were overlords also of Waterford and Wexford. But still they retained their older inland capital, Ferns, where later Dermot MacMurchada had a *caisel* (stone-fort), house, and town (*villa Ferniae*), with a population which paid him dues.[2]

Kincora had been the ancient seat of the Dal-Cais, and Brian later wrested Cashel from the Eoghanachts. The famous Rock became "O'Brien's chiefest seat, court and town," but in 1101 King Murchertach granted Cashel to the archbishop.[3] The O'Briens then moved their capital to Limerick, whose Ostmen were their vassals, and there built a fortress on the site of St. Mary's cathedral. By the time of Strongbow this rich city was their undoubted capital. By 1170 Cork was similarly MacCarthy's town.

[1] In correct Irish spelling these are MacCarthaigh, O'Maelsechlainn, MacMurchadha, O'Maeldoraidh, O'Domhnaill, O'Cerbhaill, and MacDonnslebhe.

[2] *The Annals of Tigernach*, 1166, ed. and tr. by Whitley Stokes, *Revue Celtique*, 1897, and see later.

[3] *Ann. Clonmacnois* and *F. M.*, 1100-1101.

The gigantic hill-fortress of Ailech in Inishowen had long been the seat of the Northern Ui Néill. The ease with which an enemy could now take it shows that it was being left derelict. In 1101 Murchertach O'Brien marched round Ireland, and on his way demolished Ailech, bidding his horsemen carry each a stone away, for building the ramparts of his new palace at Limerick. There was no fight around it, and evidently the Ui Néill had practically abandoned their old seat. Instead we find them in 1106 at Tulach Oc in Tír Eoghain, where the later O'Neills were inaugurated, and near to which they built Dungannon.[1]

The kings of Connacht had ancestrally been inaugurated at Cruachán; in later times they were en-kinged at Carn Fraich, near Tulsk, but as a capital they forsook "Croghan Maeve," and the first great O'Conor, Turloch, built castles at Dun Leodha, Cúlmuine, Galway, and Athlone. His true capital, however, was Tuam, where he built a cathedral, and where in 1164 his son, Rury, made a "wonderful castle" (*caislen ingantach*).[2]

Thus did the province-kings entrench themselves, while the High-Kingship, which was no man's right in particular, had no capital. Hence largely was it that the supreme Monarchy fell in 1170, while the petty kingdoms maintained a long resistance.

Out of the old seven kingdoms was now emerging a new order and a fresh grouping.

The Northern Ui Néill, or Cenel Eoghain, under MacLochlain, had in the ninth and tenth centuries moved from their original seat in Inishowen into Tír Eoghain, as they called their new country. They had confined the Ulaidh behind the Bann and Loch Neagh, wrenched the sacred city, Armagh, from the Oirghialla, and driven them from the plains of Tyrone to the

[1] Armagh, formerly in Oriel possession, also became their city. In 1064 Ardgal MacLochlain, Lord of Ailech, died at Tulach Oc and was buried at Armagh *in mausoleo regum*.

[2] *Tigernach*.

present counties of Armagh and Monaghan. Even there they forced Oriel and Ulidia to render homage. West of the Cenel Eoghain were the Cenel Conaill, lords of Tír Conaill, who were sprung from Conall, a younger son of Niall Nine Hostages. The Cenel Eoghain, as sprung from Niall's elder son, claimed the homage of Tír Conaill, and thus directly or indirectly lorded it over the whole of modern Ulster.

The royal race of Connacht was now represented by O'Conor.[1] Muredach, king about 700, had left to his descendants the demesne lands covering the modern county Roscommon, and the kin-name of Síl Muredaigh. Related and junior to the O'Conors were O'Flanagan, MacDermot, and others. But going further back, the O'Conors represented Brion, a younger brother of Niall Nine Hostages, through whom they were kindred to the O'Ruaircs and other chief races of Brefni. Ailill Molt, who died in 483, King both of Tara and of Connacht, was their proudest ancestor, and was not too far away for such a traditionalist race. In the twelfth century the O'Conors revived the claim of the fifth, and Turloch, King of Connacht and Ireland, repeated the triumph of Ailill.

Munster was now made secondary among the provinces by the cleavage of Thomond and Desmond.

For the Desmond race were sprung from Eoghan, the elder son of the great ancestor, Ailill Olum (*circa* 200 A.D.), while the Dál Cais, whom Brian represented, were from a younger son, Cormac Cas, and the MacCarthys could not forget Brian's usurpation of Cashel.

The shades of these great ancestors hung heavy over Ireland. The Leinster king, Cathair Mór, in the second century had been High King. From his descendant, Enna Cennselach, in the fifth century, were derived the royal demesne-lands of Leinster, namely, Ui Cennseligh (Hy Kinsella) in Wexford and Carlow.

[1] *Síl Muiredaigh*, "the Seed of Muiredach," is generally found as "Shilmorthy" in medieval Anglo-Irish records, a fair rendering of the pronunciation of the time.

The Maelmora, King of Leinster, who fell at Clontarf left no royal line. He was of North Leinster, and the dynasty which succeeded his, though of the royal stock, was of Hy Kinsella. This later line was founded by Diarmaid Mac-mael-na-mBó, who, after a most triumphant career, died in 1072, "King of Leinster and Dublin," and if we may believe it, "of Mogh's Half." From his grandson, Murchad, came the MacMurchada name. The ambitious Dermot therefore, who brought the Normans in, had always in mind first the triumphs of that Diarmaid who was so near to him and next the glory of that Cathair Mór who was so far away.

It was a distinct weakness to Leinster that this recent South-Leinster dynasty was opposed by a North-Leinster interest which regretted the extinction of Maelmora's line. A Prince Murchad of 700 had left three sons, Dunnchad, Faelan, and Muredach; from these came Ui Dunnchada, Ui Faelain, and Ui Muredaigh, the ruling races in the Vale of Dublin. Such then were the great province-kingdoms, with Meath, under the O'Melachlins or Southern Ui Néill, wedged in between them, the most fertile land of them all; weak, and therefore the prey of every ambitious neighbour.

Next came the secondary states. Ulidia and Oriel, though true and ancient kingdoms of the Heptarchy, could not aspire to Tara either in law or by force. Ossory, which covered from Sliav Bloom to the southern sea, was, according to the *Book of Rights*, a vassal of Munster, but without tribute—a sort of palatine county. Of similar status with Ossory was Brefni, for both were sub-kingdoms and not of the Seven.

Brefni had arisen late, and through the war-aims of Ailech, which compelled Connacht to shield herself on the north-east. Hence Brefni is called by Tigernach "*ferann an imchosnamha*"—the land of defence. A true border-state, Brefni owed allegiance to Connacht, which it defended. But the Ui Briuin who ruled it, for such was the O'Ruairc eponym, were proud men in their own eyes. Sprung from Brion, they were

kindred to the royal stock of Connacht, and certainly the most formidable of its vassals. Indeed, Tigernan, the last true king of Brefni, was grandson of another Tigernan O'Ruairc who for a time was king of Connacht. Already Brefni covered Leitrim and Cavan; the second Tigernan, aiming to make it equal to Oriel or Ulidia, extended it far into Meath.

Each province-king had as the first line of his great vassals, the free and non-tributary states and as the second line, tributary states. The free, owing only voluntary hosting, were free as being of near kin or by treaty. A strong king could leave his sons stronger by reducing the free to the second rank. Before Brian there were eight free states in Munster, and twelve tributary; the eight were reduced by him to four.[1] Even in the royal lands, large as they were, there were *tuaths* and cantreds, and thus MacMurchada's own demesne of Hy Kinsella contained ten cantreds or *tuatha*.

For the Irish king, *primus inter pares*, presided over a society where law, custom, and local tradition guaranteed their rights to numerous local entities. Society had never been violently shattered in Ireland as in feudalised Europe; popular right and primitive communism still endured, and even the poorest *bothachs* and *fuidirs* naturally formed themselves into self-ordered and law-protected groups.

The career of Turloch O'Conor shows what a man of energy and ambition could do to make the Supreme Monarchy real. Turloch's purpose was as definite as that of the line of Alfred had when they strove to weld Angles and Saxons into one nation. He was not yet twenty when he became King of Connacht in 1106, and it was not till Murchertach O'Brien's death that Turloch could give full play to his designs of subjecting Leinster, dividing Munster, and partitioning Meath.

Turloch's armies took the field year after year; his

[1] See Chapter on *Book of Rights* in MacNeill's *Celtic Ireland*. In Meath only Tara was free, but eleven states took gifts from the king. In Leinster there were nine free, all descended from Cathair Mór; seven were tributary.

fleet, commanding the Shannon, could penetrate North Munster; his castles at Dun-leogha, near Ballinasloe, at Galway, and Cúl-muine (Collooney), dominated Connacht in centre, west, and north, and his fort and wicked bridge at Athlone and other bridge-heads at Ath-liag and Ath-croich held the Shannon and opened the way into central Ireland.

In 1120 Turloch expelled Murchad O'Melachlin from Meath. This Murchad, the unfortunate of these wars, was the father of Dervorgilla, and the last king of undivided Meath, hence when Henry II. gave the earldom to Hugh de Lacy he granted it "in as complete a manner as Murchard Hua Melaghlin held it," viz., from Shannon to sea.

In 1122 Turloch divided Munster between O'Brien and MacCarthy. In 1126 he imposed his son, Conor, as king over the Ostmen of Dublin, and as Enna, King of Leinster, had just died, he gave this province also to Conor. Next year (1127) Dublin and Leinster united to expel Conor, whereupon Turloch placed over them Donal, chief of Ui Faelain, who was king there till 1134. Later he set his son Conor over all Meath, but after a year O'Dubhlaich, lord of Fir Tulach, a vassal of O'Melachlin, slew Conor "as a stranger in sovereignty." [1]

His last great victory in the field was at Móin Mhór near Cork, where, backed by Leinster, Brefni, and Meath, he so shattered the array of Turloch O'Brien that of three battalions only one escaped, and O'Conor marching into Limerick, carried away the hostages of Leth Mogha (1151). The Synod of Kells, in 1152, over which Turloch presided as High King, was itself a diplomatic triumph for him, for while this great assembly of bishops and kings made each of the other four provinces an archdiocese, Meath was left with its six pre-existing petty Celtic sees. To complete its ruin, in this very year Turloch, acting along with Murchertach MacLochlain, divided Meath between Murchad O Mela-

[1] *Tigernach*, 1144.

chlin and his son Melachlin, the line of division being Clonard.

Turloch died in 1156, in his sixty-eighth year, "King of all Ireland," and was buried at Clonmacnois, leaving by his will one hundred and sixty ounces of gold and sixty marks of refined silver and all his treasures to be divided among the churches of all Ireland.

He had shown how a strong man could win to the sovereignty of Ireland; and also that any line could aspire to it. For he had revived a claim six hundred years old, and that in defiance of the *Book of Rights*.

Already before Turloch's death had appeared the chief actors on the Irish side in the drama of the Norman Invasion.

Turloch's son, Rury, succeeded to Connacht, Dermot O'Melachlin inherited what was left of Meath, for Murchad had died in 1153, and Turloch O'Brien was lord of Thomond till 1165.

Murchertach, son of Niall MacLochlain, had been king of Cenel Eoghain since 1136, and his was the star which waxed as that of O'Conor waned. But two lesser states also rose to imposing, if temporary, greatness in the North. Tigernan O'Ruairc, of whom we hear first in 1125, began a career disastrous to Ireland by a deed of special ill-omen. In 1128 he attacked the retinue of the archbishop of Armagh, and killed some of them, including a student who bore the sacred requisites—"a deed foul, unprecedented, and productive of ill, deserving the curse of the men of Erin, both cleric and lay, whereof the like was not done in Erin before." [1]

But politically, if not morally, Tigernan's career was a brilliant success. Shielded and favoured by O'Conor, and from his seat at Dromahair he extended

[1] *Ann. Ult.* The Archbishop himself was present. Turloch then made a great foray in Leinster to Wexford, back to Dublin, and home again, "but the ill-fame of that hosting is on Tigernan O Ruairc." He was to be the evil genius of the O'Conors.

the borders of Brefni south over Conmaicni (Longford) and far into Meath.

Oriel also found a great prince in Donnchad, son of Cervall (Cerbhall), a prince of Fernmagh, in south Monaghan. Beginning in 1125, Donnchad before his death in 1168 extended his kingdom of Oriel from the mouth of the Erne to the mouth of the Boyne.[1] But his was a nobler fame than Tigernan's, that of a builder of churches and a friend of the Reform movement in the North.

In Leinster Dermot MacMurchada, son of Donnchada was now king. If Meath is the victim in the tragedy, Tigernach and Dermot may divide the honours as the villain.

Dermot was born in 1110 or 1111. His father, Donnchad, died in 1115, and Enna MacMurchada then ruled till 1126. Turloch O'Conor then seized the opportunity of Enna's death, and put first his son, Conor, and then Donal O'Faelain, over Leinster.

Hence Dermot's early career is one of obscurity, and it was not till 1134 that his people called him from being Lord of Hy Kinsella to be King of Leinster. The young prince thus early had reason for that hatred of the O'Conors and of the north Leinster race which animated him through life.

Dermot was educated at Tír-da-glas in Ormond by Aedh mac Criffan the abbot, a lover of the great pagan epics. The instruction of Irish princes, based as it was on the great national sagas and on the national records, was well-fitted to stimulate both national pride and provincial patriotism. While he delighted in that literature which was the common heritage of the race, he was moulded in an intense provincial patriotism, as his words and deeds, recorded by Giraldus and Regan, testify. Steeped in Leinster history, he undertook to restore her greatness, to win back from Meath the Plain of Tara lost in the sixth century, and finally, when his

[1] O'Cerbhall should be pronounced O'Cervall. Another modern form is O'Carrol.

Norman allies gave him the victory over every foe, he claimed no less than the High Kingship which his ancestor, Cathair Mor, had enjoyed.

The education imparted by the *filidh* fed the imagination rather than the mind, and made warriors rather than statesmen.

The race-pride and over-fed memories of the Irish kings were in the end to be their doom. Had Fate passed some great Act of Oblivion, had some calamity extinguished all the memories of Ireland and all her dynasties but one, as the Danish invasions did to England, leaving that remaining one to turn the tide and unite Ireland under one single sway, the loss of our ancient records would have been irreparable, but the political gain would have been immense.

But this is a modern reflection. For the young Dermot, it was essential, if he were to be a king, to wage the interests of Leinster vigorously in the province-wars of his time.

Internally Leinster had its own weaknesses. There was a division between the north and the south of the province which an enemy might exploit. Ossory, lying between Munster and Leinster, was for each of them a gateway into the other's land, and while the *Book of Rights* declared it a vassal of Cashel, the Gillapatraic who founded its dynasty *circa* 1050 had sworn homage to Dermot's ancestor, the King of Leinster. The homage of Dublin especially must not be lost, for these Ostmen could put into the field formidable mailed infantry and launch great fleets. Small as the kingdom of Dublin was, its wealth was far beyond that of many great states inland, so that in 1166 the High King, Rury, had to purchase the homage of its people with a stipend of four thousand cows, while only two hundred and forty were given to the whole kingdom of Oriel.

The territory of Dublin (*Dyfflinarskiri*) stretched from Skerries in the north to Leixlip (*lax-hlaup*, the Norse for "salmon leap"), and south to Arklow. Its ruling earls, whom the Irish called *Mór-maer*, or "great

steward," now bore the Gaelic patronymic of Mac-Torcaill, derived from a Torcall or Thorgils, king of Dublin about 1100. Ragnall, a son of this Torcall, died in 1146; his son, Asgall, was to be the last of his dynasty.

Dermot's character was a mixture of capricious cruelty and ill-ordered energy. His private crimes, it seems, were as great as his political ones. When he was but twenty-two, he sacked Kildare and violated, or at least shamefully treated, the abbess, and all through his life, lust, passion, and anger were strongly marked in him.[1]

For his political energies, there is more excuse. Leinster had declined in power before his accession, and might well fear the fate of dismembered Meath. His invasion of Ossory in 1134 was a natural expansion-move against Munster—an attempt to recover the former homage of its kings to Leinster. The Ostman towns had long been vassals of Leinster. He had to resist the meddling of the High Kings and of O'Ruairc in north Leinster, and his violence to his vassals there was not unmerited. According to Giraldus, Dermot was "the oppressor of the nobility," but so was every mediaeval king who meant to be master in his own borders.

His aggression upon Meath certainly are less justifiable, but all the kings aimed at a share of this rich province, and Dermot in particular had claims on the Plain of Tara, claims ancient indeed, but lawful in his eyes. Dermot was to be the reproach of his race for ages,

[1] *Loch Cé* under 1132 gives a horrible picture of this inexplicable crime, resembling the crime that lost Sweyn, eldest son of Earl Godwin, repute and lordship. The indignation of the Church at such deeds of the highest princes had much to do with the surrender of the bishops to Henry II. Thus the *Annals of Ulster* under 1117, reflecting the monastic mind—"Maelbrighe MacRonain, Superior of Kells and the congregation of the same were killed by Aedh MacRuairc and the Ui Briuin. May the Face of the Lord be on such as do these crimes so that their memory may perish from the earth." —*facies Domini super facientes haec scelera ut perdat de terra memoria eorum.* Yet medieval history is full of such capricious violence and Henry II. and his sons had little right to reproach Dermot.

as the man who brought in the Norman *condottieri*, though neither he nor any of his co-evals could have foreseen the lasting results. Yet he did great services to the civilisation of his age and country, for he was the founder of All Saints in Dublin, of the abbeys of Ferns and Baltinglas, and of several other smaller centres of learning and culture.

We must think, too, of this prince, whom it is easy to dismiss as a barbarian, dwelling with some state at Ferns in a stone castle amid an urban population and with a great abbey at hand whose library contained one of the glories of Irish literature, the *Book of Leinster*. This massive volume contains among other treasures a version of the Táin Bó Cualgne, written about 1150 for Dermot's tutor, Aedh, by Finn, bishop of Kildare, whose intention, expressed by himself at the close of his task, was to give the great pagan epic taste, order, and humanity.[1]

This and the other masterpieces of the abundant epic of Ireland were to the Gaelic aristocracy now and for centuries more what the Tales of Arthur, Charlemagne, and Godfrey were to the Norman-French. These splendid battle-tales have much of the crude and verbose which modern taste rejects, but much also that is poignant, artistic, and subtle. They exhibit that national delight for vehement colour in words which is expressed pictorially in the *Book of Kells*. What vigour there is in such a phrase as this: "the wail of the storm-play in the rafters of the firmament," and what tender wording in this picture of a beautiful woman: "dark and dusky were her eye-lashes; the soft black lashes threw a shadow to the middle of her cheek. Sweet as the strings of lutes when long sustained they are touched by the hands of masters was the melody of her voice and her speech."

[1] *Tigernach*, 1166, speaks of Dermot's *caiseoil* (stone-fortress) and *tig* (hall) at Ferns. A charter quoted later here (p. 42) shows Ferns as a *villa*. For the *Táin Bó* see O Curry's *MS. Materials* and Joseph Dunn's translation.

It is an elemental literature, rich in fancy and embroidered beauty, but weak in ordered thought, the literature of a race essentially poetic, and goes far to explain that strange mixture in the mediaeval Irishman of the romantic barbarian and the sensitive modern man.

Dermot's royal career began in 1134, when the Leinstermen, rejecting O'Conor's nominee, Donal MacFaelain, took the young MacMurchada to king. His first exploit in arms was to march against Ossory, and enforce homage from MacGillapatraic. In 1137, he besieged Waterford, the ally of MacGillapatraic, and was supported from sea by a fleet of two hundred ships from Dublin and Wexford.

Waterford also had jarls or *mór-maers* of its own, descended from the progenitor of all the Ostman dynasties, Ivar Beinlaus. They were now Christian, and had adopted the Gaelic patronymic MacGillamaire, from an ancestor, Gillamaire ("devotee of Mary") of about 1100.

As a sea-republic, Waterford was little inferior to Dublin, for it commanded the whole confluence of those noble rivers, Nore and Suir, and outside the city was a wide contado called by the Irish *Gall-tír*, "the land of the Norsemen," the present barony of Gualtier.

Great as were its resources, however, Waterford had to submit to Dermot. As overlord of the Ostmen Dermot would now have the right, after giving the customary stipend, to enter Waterford at pleasure and to dwell there, to make and confirm land-grants in the city and its cantred, and to receive some such rent as the Norsemen of Dublin undertook to pay to the High King, Maelsechlain, in 988, after he had besieged them for forty days: "They gave him," says Tigernach, "his own award as long as he should be king and an ounce of gold from every homestead (*gárda*) to be paid on every Christmas for ever."

A revolt of Dermot's vassals in North Leinster was quelled with a ferocity unusual even for that age, and

MacMurchada had Donal, lord of Ui Faelain, and Murchad, lord of Ui Muiredaigh, put to death, and Murchertach MacGillacolmoc, chief of Ui Dunchada, blinded (1141). In all, seventeen of the nobles of Leinster were blinded or slain.

As O Conor waned and MacLochlain waxed, Dermot had to choose between the setting and the rising star. He decided for Murchertach MacLochlain, did him homage at Dublin in 1145, and in the main kept faith. It was in 1152 that Dermot carried off O'Ruairc's beautiful wife, Dervorgilla, from his house at Dromahair. Whether the passion on Dermot's part was a true one we cannot know ; certainly it was not a lasting one on Dervorgilla's, for she soon fled back to her husband, who twelve years later took a revenge which ruined, not only Dermot and himself, but Ireland with them.[1]

The Reform movement had now reached its zenith. Malachy (Maelmaedoc) brought in Cistercians from Clairvaux in 1142, and Donnchad, king of Oriel, gave them a site at Mellifont on the Boyne.[2] Thence, before 1150, were founded five daughter houses. Malachy died in 1148, but his life-work was crowned at the Synod of Kells in 1152. There were present at this great national assembly Turloch, the High King, Murchertach MacLochlain, and other kings, and Cardinal Paparon, legate *a latere*, and Christian bishop of Lismore, *legatus natus*, presided over bishops and abbots.

Gelasius, who succeeded to Armagh after Malachy in 1137, was to survive the Norman invasion till 1174. Christian O'Conairce, bishop of Lismore, was to con-

[1] Dermot it would seem had a daughter by Dervorgilla, since a daughter of his, called also Dervorgilla, married Donal Macgillacolmoc, lord of Ui Dunchada, unless we suppose the name a pure coincidence.

[2] A fact which shows that Donnchad O Cervall had by this carried the limits of Oriel to the Boyne. Donnchad is commemorated in a contemporary obituary notice in the *Antiphonary of Bangor*, which attributes to him the founding of many churches, especially the Abbey of Mellifont with its hundred monks, the organising of the bishopric of Clogher on true diocesan lines. See Lawlor, *Life of Malachy, Appendix*, p. 170.

summate the work of native Reform with the surrender of native independence at Cashel.

There were now two currents running strong under the surface of things in Ireland. The more native-minded Churchmen, such as Laurence O'Tuathail, and even the High Kings in their rough way, were bringing about a unity of the Irish Church and the Irish State. But many of the most earnest and subtlest minds looked towards Roman conformity for a solution of Irish ills, regarded Irish politics with indifference, and at last consented to an ecclesiastical reformation and a political sovereign from England.[1]

Turloch O'Conor's death in 1156 cleared the way of Murchertach MacLochlain to the High Kingship.

Murchertach MacLochlain's policy was that of Turloch before him, viz., to appoint the kings of the weaker provinces, and by partitioning or annexing part of them to enhance the power of his own undivided State. It was a policy pursued with much skill and success in mediaeval Germany, but it needed a line of able kings in one continuous dynasty before a true Monarchy of Ireland could be achieved.

In the dynastic wars Murchertach was allied with MacMurchada, and unlike his predecessor, Turloch, looked kindly upon Meath. On the other side Rury O'Conor was backed by Tigernan of Brefni.

That Murchertach was now the greatest of the Irish kings, if not actually High King, was shown by his presiding over the Synod of Mellifont in 1157, where Christian of Lismore was present as legate with Gelasius of Armagh and seventeen bishops, and the abbey-church of Mellifont was consecrated. Murchertach bestowed

[1] Gillebert of Limerick's words in his *De usu ecclesiastico, circa* 1108, inspired such men as Christian. "I have endeavoured to describe the canonical custom of saying the hours . . . . to the end that the various orders with which the whole of Ireland has been deluded, may give place to one Catholic and Roman office."—Ussher's *Sylloge*. St. Malachy was so indifferent or contemptuous of lay politics that he told St. Bernard that there were many kings in Ireland, without hinting at, still less exalting the fact of a supreme king.

upon it a townland near Drogheda (*finnabhair na n-ingean*).[1]

Two years later, Murchertach gave the army of Connacht an overthrow at Ardee which effectually ended the contest with Rury. Tigernan had to make submission and surrender Conmaicni, his share of the spoils of Meath (1159).

MacLochlain's great year was 1161. At Lecc Bladhma in Westmeath " Diarmaid MacMurchadha and Ruaidhri O'Conchabhair came to him. He gave all Connacht to Ruaidhri and Leinster to Diarmaid and so was King of all Erin without opposition. The half of Meath which was his he bestowed on Diarmaid O'Maelsechlainn and the other half (the western half) he bestowed on Ruaidhri." [2] So the *Four Masters*.

Next year, Murchertach completed his triumph by marching to Dublin, where he was acknowledged as king by the Dublin Ostmen. There Dermot, who shared his triumph, met him, and with Gelasius of Armagh procured the election of Lorcan (Laurence) O'Tuathail, Dermot's brother-in-law, abbot of Glendaloch, to the see of Dublin, then vacant (1162).

Here we see the convenient complexities of the Irish monarchic system. Murchertach as Ard-Rí was suzerain both of Dermot and the Foreigners of Dublin; Dermot was king of the Foreigners as well as of Leinster; but Dublin kept also its own jarl, Ragnall MacTorcaill.

[1] Evidently private demesne of Murchertach's. In 1159 (*F. M.*) he restored to the Men of Meath six townlands in the neighbourhood of Slane and Ratoath *which were his own lands*. Thus could a successful king build up a " House-power " not only in his own province, but in other's also, by conquest, treaty, or by way of compensation. In 1161 a half of Meath, the eastern half, where these townlands lie, were said to be Murchertach's (*F. M.*); apparently when in 1159 Murchertach granted Meath to Donnchad he retained a suzerainty over half of it, and gave back certain demesne-lands there which he had conquered or acquired, keeping some border estates, however, as at *Finnabhair*. The whole picture is that of the dismemberment of Meath among its neighbours.

[2] *Tigernach* adds that Dermot O'Melachlin, being deposed by the Men of Meath, gave Murchertach one hundred ounces of gold for the kingship of Westmeath.

It was probably about this time that Murchertach issued that imposing charter to Newry Abbey, in which he styles himself *Rex totius Hiberniae.*[1] His monarchy was at its height, and he had secured the homages of all Ireland save Munster. The last strong man to hold the supreme kingship, he stood on a high but a slippery pinnacle of greatness.

These, too, were MacMurchada's great years. Dublin was his, and its bishop his kinsman and friend. He had no rivals of his blood—his brother Murchad was true to him, and so were his sons, Donal Kavanagh, Enna, and Conor. His father-in-law, Murchertach, chief of the Ui Muredaigh, and his son-in-law, Donal, chief of the Ui Dunchada, who had married Dermot's daughter, Dervorgilla, kept North Leinster loyal for the time.

Dermot's extant land-grants show that his sovereignty extended from *Fine Gall*, the land of the Dublin Ostmen north of the city, to the Nore. In Fingall he made the grant to the use of All Saints of the townland of Baldoyle which we have noted.[2]

In the South-west, he confirms the grants made by his vassal, O'Riain, lord of Idrone, to the Cistercian house of Jerpoint. In this deed of confirmation, *Dermitius nutu Dei Rex Laginensium* greets all kings, dukes, and earls (*reges, duces, comites*), and confirms by his seal the grant of fourteen townlands which O'Riain "by our leave" has made[3]

[1] See previously, pp. 21, 22, and later pp. 94, 95, for the power of grant as exercised by Irish kings.

[2] This was after 1162, as Laurence, archbishop, attests. The other witnesses are Enna, son of Dermot, Faelan MacFaelan, Domnall Macgillacolmac, G. MacGunnar, and Ethmarcach and Arailt *filii "Corrail."* The three latter were Ostmen and two of them MacTorquils, for I do not doubt that "Corrail" should be Torcaill. See *Reg. All Hallows*, p. 50. Ragnall was apparently earl of Dublin then, and was at Athboy in 1167, but died before the Norman invasion, when his brother, Asgall, ruled. It is just possible that the *filii Corrail*, however, were sons of Donnchad O Cervall, as the grant was in favour of the Oriel bishop Edan, but both names were common among the rulers of Dublin.

[3] *Charters of Duiske*, Bernard and Lady Constance Butler, *P. R. I. A.*, p. 5.

When Strongbow and his Normans arrived they had no doubt that Dermot was a true king.

Further to illustrate an Irish king's prerogatives, we have Dermot's charter to his abbey of Ferns. He confers on the canons of the Blessed Trinity there, certain townlands, fisheries, advowsons, and first-fruits from all his demesne lands throughout Hy Kinsella, with a certain tribute of drink called *scaith*, viz., from each brewing of mead or ale brewed in the town of Ferns, a certain measure called *lagena* or gallon from him and his heirs for ever in free alms. All these shall be free and discharged of secular rent, service or tribute to bishop, king, earl (*comes*), or any other. The election of the abbot shall be freely made by the monks, but after election and before he be created abbot by the archbishop or bishop, "he shall be presented to me or my heirs or their seneschals in recognition of our lordship (*causa dominii*) so that with our permission the bishop may ordain him." The grant is made "by counsel and assent of my princes and nobles" at Ferns. The testators are Christian, bishop of Lismore, legate, five bishops of Leinster, Laurence, abbot of Glendaloch, two lay chiefs, Florence, "*regis cancellarius*," Marcus the chaplain, and others.[1]

But the sudden and dramatic fall of the High King brought Dermot down with him.

In 1165 Murchertach led an army against his rebellious vassal, Eochy, son of Donnslebhe, king of Ulidia, whom he deposed.[2] But Donnchad of Oriel

[1] Dugdale, vol. vi Pt. II. p. 1137. The date must be before 1162, while Laurence was abbot of Glendaloch. The deed is a pure replica of an Anglo-Norman charter document, showing the influence of the feudal state on Ireland. Who were the seneschals? Probably chief stewards, *mór-maers*. And the *duces* and *comites* of O Riain's charter? Probably heads of *mór-tuaths* and *tuaths*. Note that Ferns had a town population, paying tributes to the king, who now makes one of these tributes over to the abbey. In the ecclesiastical arrangements, Dermot was following the lead of Cluniac-minded princes on the Continent; indeed, we may call him the most European among the Irish princes of his time.

[2] *Tigernach* says Murchertach had given the kingship of Ulidia to Eochy for gold and hostages—possibly Eochy did not fulfil the contract. Anyway, Ulidia was always restive under the Cenel Eoghain supremacy, for it remembered when Ulidia from Emain ruled most of modern Ulster.

brought Eochy with him to Armagh and induced Murchertach to restore him, on condition of his giving hostages and surrendering the territory of Bairche (Mourne), which the High King at once bestowed on Donnchad of Oriel.

But next year (1166) the High King had the unfortunate Eochy blinded while he was under the solemn guarantees of the king of Oriel and the archbishop of Armagh. This deed of sacrilege and murder made even the Cenel Eoghain abandon their king. Donnchad of Oriel foreswore allegiance, and Rury O'Conor seized the moment to win the throne of Ireland. Allied with Tigernan O'Ruairc, he entered Meath, where Dermot O Melachlin did homage, and marched to Dublin, where the Ostmen forsook their lord, Dermot, and gave Rury the kingship. He rewarded their submission with the huge stipend of 4,000 kine; then turned north and received at Mellifont the homage of Donnchad O'Cervall. Then he turned south again into Leinster, where Dermot's vassals, MacFaelain, O'Conor Failghe, and others, forsook a king "who loved rather to be hated than loved." The faithful Hy Kinsella were routed at Fid Dorcha, and Dermot, after burning his cashel and house at Ferns before the enemy, submitted. For the nonce he was left in possession of his throne, while Rury, making the "circuit of the Ard-Rí," marched through Ossory into Munster, where Murchertach O'Brien and Dermot MacCarthy came into his house and made him High King.

Meanwhile Donnchad of Oriel made himself the avenger of Eochy. Gathering the forces of Oriel and of Brefni, lent him by Tigernan, he came on the High King at Leitir Luin, in the Fews of Armagh, and there in a petty skirmish in which only thirteen of his faithful few perished with him, Murchertach MacLochlain fell. He was entombed at Armagh, the last High King of his line.[1]

[1] *Tigernach* says that O Ruairc was with Donnchad of Oriel, and clearly the battle of Leitir Luin "in the woods of Ui Echach" took place while Rury was in Tir Conaill.

To complete his hosting, Rury marched north again into Tír Conaill, and thence to Armagh, where he received kindly young Niall, son of the dead Ard-Rí.

Thus began the reign of Rury O'Conor. Content with an imposing show of homage and hostages, he showed no desire to ruin those whom so sudden a revolution had overthrown. But his grim lieutenant, Tigernan, could not forgive his private wrong, and Dermot gave him his excuse by having Donal Macgillacolmoc put to death for deserting him earlier in the year. Enlisting Dermot of Meath and a force of Dublin Ostmen, Tigernan marched into Leinster, incited a general revolt, and destroyed what Dermot had left of Ferns.[1]

MacMurchada was now without friends save for the Hy Kinsella. But the ports were open, and embarking in some Danish ship at Wexford, he sailed for Bristol, taking with him his daughter Eva (Aoife), whom Giraldus calls "most beautiful" (*quam pulcherrima*), and leaving his eldest son, Donal Kavanagh, to guard his father's interests as he might. The date was August 1, 1166, so an entry in the *Book of Leinster* tells us, adding that "he was banished by the Men of Ireland over the sea." But we do not read of any formal act of banishment by any national assembly under the Ard-Rí; if such there was, it was the work of Tigernan and his associates.

O'Ruairc and O'Melachlin then divided Hy Kinsella between Donnchad MacGillapatraic of Ossory and Dermot's brother, Murchad "na nGaedhel" (of the Irish). O'Ruairc himself received for reward from Rury and O'Melachlin, the western half of Meath, so that his lordship now ran from Drumcliff in Sligo to Kells. Thus was Leinster reduced and divided.

Rury's glory continued for three short years. At

[1] *Tigernach* states that the object of Tigernan was "to have vengeance upon him (Dermot) for O Ruairc's wife," and goes on: "They demolished the stone house which MacMurchada had at Ferns and banished him over sea and divided Hy Kinsella."

Athlone in 1167 he summoned a *Rig-dáil*, attended by O'Ruairc, O'Melachlin, and Asgall of Dublin, where the stipends, awarded at his accession the year before, to the rulers of Munster, Oriel, and the rest, were levied on various localities, and the four thousand kine adjudged to Dublin were made a charge " on the men of all Erin."

Later in the same year Rury presided over the last of the great Reform Synods, at Athboy in Westmeath. Gelasius of Armagh, Laurence of Dublin, and Cadhla of Tuam were present, and these kings or princes : Dermot of Meath, Eochy of Ulidia, Donnchad of Oriel, O'Ruairc, prince of Brefni, and Ragnall, king of Dublin. Tír Eoghain and Tír Conaill stood aloof, and the absence of Cashel and of the Munster kings showed the resentment of Leth Mogha. Yet thirteen thousand horsemen thronged the town and the Hill of Tlachtga, and " good decrees were enacted regarding veneration for churches and clerics and for the governance of kindreds and countries (*treabh agus tuath*)."

Tír Eoghain was still to settle. Rury marched north with seven kings and " all the chiefs of Leinster " in his train, and the army of all Ireland. At Armagh they divided Tír Eoghain between Niall MacLochlain and his rival, Aedh O'Neill, all north of Sliav Gallion in Tyrone going to the former and all south of it to O'Neill.

Meath and Munster were next reduced to the level of fallen Tir Eoghain and Leinster. Murchertach O'Brien having been slain by his MacCarthy rival, Rury entered the province and allotted Desmond to Dermot MacCarthy and Thomond to Donal Mór, brother of the slain Murchertach (1168). Early in 1169 Dermot of Meath was killed by a nephew of his, Donal the Bregian ; the High King therefore expelled Donal and made the last partition of the central province, giving the eastern half to Tigernan and keeping the western half himself.

Meanwhile Maghnus MacDonlevy replaced his blind

brother, Eochy, in Ulidia, and Donnchad O'Cerbhaill, fatally wounded by a gilly of his at a feast, gave place to Murchad (1168).

With four kingdoms partitioned and new kings sworn to fealty, Rury seemed to have all Ireland at his feet. To celebrate his triumph, he held in 1168 the Aenach of Tailtiu in Meath, that great law-making assembly, part fair, part parliament, part festival of music and poetry, which it was the special right of a High King to summon for all Ireland. Now revived in its old pomp, the horses of those who attended it extended along some six miles of the road. Oriel having demanded an eric for the killing of a chief of theirs by Meathmen, the great men present decided in Oriel's favour, and Rury awarded an honour-price of eight hundred cows.

These great assemblies, in which all Ireland freely mingled, which display a land united in one law, one language, and one political bond, continued to the end. Their day was now over, and the native race was soon to be shattered for centuries into isolated fragments.

CHAPTER II

THE CONQUEST OF LEINSTER, 1166-1172

BRISTOL was a city which had maintained the closest trade relations with Dublin, especially in that shameful traffic of slaves which Norman kings, Irish chiefs, and English merchants were not ashamed to practise. And the greatest merchant-prince in Bristol was a man well-acquainted with the Leinster kings, both by ancestry and by many visits to Dublin. This was Robert fitz Harding, Lord of Berkeley, grandson of that Saxon Eadnoth the Staller with whom Harold Godwinson had sought refuge in 1051 before passing over, at Eadnoth's suggestion, to winter in Dublin with Dermot, king of Leinster, MacMurchada's ancestor.[1]

FitzHarding received MacMurchada kindly, and lodged him at the Augustinian house which Robert had founded in the city. Their communications were doubtless through that "latimer," or interpreter in Latin and French, whom Dermot brought with him, namely, Morice Regan, whose account of the Invasion, told to some follower of Strongbow, survives as the Norman-French *geste*, "The Song of Dermot." It is Dermot's story, that of the rich and generous king, deeply wronged by O'Conor and the Leinster rebels, the real king of Leth Mogha and its champion against the Northern Half.[2]

FitzHarding's advice was to find out Henry the King, but when, after a long long search, Dermot lighted on Henry some time after Christmas, 1166, the Angevin proved disappointing.

In the flush of his youth, Henry FitzEmpress had

[1] See Freeman's *Norman Conquest*, II. and IV, *passim*.
[2] Ed. and transl. G. H. Orpen.

contemplated the conquest of Ireland by the sword. John of Salisbury had, in 1155, sought the papal Curia, and obtained from the Englishman, Adrian IV. a sufficient imprimatur. "At my prayer," wrote this accomplished Churchman later, "he granted Ireland to Henry as an inheritance, as his letter to this day testifies, and also sent by me a golden ring adorned with an emerald for the purpose of investiture, and this is still ordered to be kept in the State archives." [1]

Occupied with so vast an empire, struggling now with Becket and the conquest of Brittany, Henry yet listened with courtesy when Dermot offered himself as the King's vassal if he would restore him to Leinster, accepted his allegiance, and gave him letters patent permitting anyone "within the bounds of our dominions" to aid him in the recovery of his own.

Returning to Bristol, Dermot finally came into touch with Richard FitzGilbert, Earl of Pembroke, the "Strongbow" of later histories. Gilbert de Clare, of Chepstow, the real bearer of the epithet "Strangbo," had got from Henry the First the land of Cadwgan ap Bleddyn in Cardigan. As the Welsh receded before their Norman assailants, French and Flemings filled up the level lands of Pembroke, and in 1138 Stephen created Gilbert earl of Pembroke and of Striguil.

But his son, earl since 1148, as one of Stephen's creations was in poor repute with Stephen's successor, and was scarcely in possession of his earldom at all. The true Norman adventurer would have kindled at once to the offer which Dermot made to FitzGilbert,

[1] *Metalogicus*, written *circa* 1159, ed. Giles, Vol. V. of John's works, p. 205. It is not clear from this language if the ring was in the papal or the English archives; anyway, we hear no more of it. Ellis' *Letters Illustrative of English History*, Second Series. I. p. 54, gives a charter of Prince John while Lord of Ewe (Eye), between 1195 and 1199, which refers to a deed made at Winchester in the year when "*verbum factum est de Hibernia conquirenda*," *i.e.*, 1154-5. Does the letter referred to by John of Salisbury mean the Bull *Laudabiliter*? The whole question of the authenticity of this Bull is summed up in Orpen, *Normans in Ireland*, Vol. I. pp. 313-318. I believe it is substantially genuine, but that Giraldus touched up some much simpler letter missive of Adrian.

namely, the hand of his beauteous daughter and the succession to his kingdom after him. But Strongbow, though he had all the pride of blood of the victors at Hastings, and though he was a respectable general and man of affairs, lacked the true make of the Norman *condottier* of the great age a century before. He protested that he must first get the licence of his liege the King; but that Dermot might expect him next spring.

Next under Earl Richard a strong family interest dominated the Norman colony of Cardigan and Pembroke, the sons and grandsons of Nesta, daughter of Rhys, by her marriage with Gerald of Windsor and her love-affairs with King Henry the First and Stephen, Constable of Cardigan. Dermot found in these men, FitzStephen and the sons of Gerald, adventurers of the true Norman type, discontented with their limited fortunes and hardened in constant wars with the Welsh. Dermot's offer of the city of Wexford and two cantreds of land jointly to Maurice FitzGerald and Robert FitzStephen met with a ready response, and they assured Dermot that, once they had mustered a sufficient force from among their kin and such men as they could hire, they would come to his aid.

Maternally they were half-Welsh, and there was nothing in Welsh custom, Welsh wars, or Welsh speech, that a century of border-life had not taught them or their sires. But paternally they were Norman-French in tongue and race, conscious members of that restless and versatile race which had for two centuries led the van of all European enterprise. Ireland was a land of old repute with the Welsh, and could not escape the eager interest of these Cambro-Normans, among whom a legend was current of how seventy years before a Norman lord of Wales had hoped to conquer the kingdom of Ireland for himself.

When in 1100 Robert de Belesme, earl of Shrewsbury, chief feudal enemy of the English Crown, was driven out of England by Henry I., his brother Arnulf, Lord of Pembroke, fled to the High King, Murchertach

O'Brien, whose daughter, Lafracoth, he had espoused in order to bring Ireland into the feudal conspiracy. Arnulf "greatly desired through that marriage to win the kingdom of his father-in-law," says Ordericus Vitalis. Arnulf ended his days a refugee in Normandy or Ireland, but a daughter of his by Lafracoth, Alice by name, was now wife of Maurice, son of that Gerald of Windsor who had been Arnulf's chief man in Pembroke. It was a tale that would easily tempt the men of 1166 to follow where Arnulf had failed.[1]

Nor had these petty knights much reason to cling to their lands in Wales. With true Norman restlessness they were ready to forsake a restricted country where in a century they had gained but little. Men of no allegiance, country, or language, they were ready to be Irish in Ireland as the men of their race became Scots across the Borders or Orientals in Antioch or Palermo, and as their Norse ancestors had become French in France. The race-indifference of the Norman was one of his greatest assets.

It was now over a century that the Norman-French had begun the expropriation of the Celts of Wales. In 1091, says the Welsh *Brut*, "Rhys ap Tewdwr, king of S. Wales (father of Nesta), was killed by the Franks who inhabited Breichiniog, and then fell the kingdom of the Britons." Let only the English king give some verbal or written sanction and these chartered bandits would interpret it liberally. Later in the same way were the Celts of Ireland to be ousted or subdued by "speculative grants." It was Gerald of Windsor, the first historic Geraldine, who founded his race in Wales, getting the stewardship of Pembroke castle from Arnulf de Montgomery, building castles at Carew and Kenarth, visiting Ireland to bring back Arnulf's Irish bride, Lafracoth, then surviving his master's fall and getting from Henry I. Pembroke castle with all its territory. Then he wedded Nesta, and thought no harm to shelter

[1] See my paper, "Murchertach O Brien and his Norman son-in-law, Arnulf de Montgomery," *J. R. S. A. I.*, February 1922.

his brother-in-law, Gruffydd ap Rhys, who returned from exile in Ireland in 1112 and doubtless told Gerald much about Irish affairs. Thus early did the Geraldines learn that sympathetic manner which later made them heroes of native Ireland.

The Welsh were a race difficult to exploit or expel; the march and mountain-land was barren or unbroken; and the country which could be securely wrested from the Welsh was soon too small for this growing Cambro-Norman race, holders of petty fiefs at best. Now, Ireland was known to be a far greater and richer land than Wales, and Leinster in particular had rivers which produced native gold. Hence Giraldus where he advises John to be content with a tribute of hawks and gold from the Irish kings. Two centuries later a Gaelic bard still calls Leinster "a land of gold." [1]

Mingled with the Cambro-Normans and serving them was an equally restless and military race. In 1106, says the *Brut*, "a certain nation [the Flemings] whose origin, manners and none knew or where it had lain concealed in the island for many years, was sent by King Henry into Dyved." These were the Flemish mercenaries whom King and barons had employed, till, becoming a nuisance, they were quartered on South Wales. Where they did take particular hold was in the Gower peninsula, and this was the original nest from which the first and main conquerors of Ireland took wing.[2]

It was among these trained professionals that Fitz-Stephen and FitzGerald found the men-at-arms and the commanders with whom they entered on the conquest of Ireland.

[1] See the Inauguration Ode to the great Art, Kavanagh MacMurchad *circa* 1376, by Eoghan MacCraith, "*an t-Oirthóir*," "the Gilder" (? a symbolic name). MS., 23 H 8 and 23 F 16, R. I. A.

[2] *Brut sub* 1113 says, "Dyved (Pembroke) was full of various nations, Flemings, French, Saxons, and the native race." The Flemings especially settled in South Wexford under Strongbow, where they preserved a distinct dialect of English till 1800 or so, and their names, Prendergast, Synnot, Fleming, Waspail, Roche [originally FitzGodebert], Wadding, Bluet, Scurlock, Cheevers, Keting, etc., are familiar in Ireland still. For the evidence see my "Languages of Mediaeval Ireland," in *Studies*, 1919, p. 234 *seq.*

A light infantry and skilled bowmen were found in plenty among the Welsh of the borders and the Invasion of Ireland had a very marked Cambrian aspect. Immediately after the conquest of Leinster Welsh names are found plentifully north of Dublin, and then in Cork, and descendants of these followed the De Burgos into Connacht. Later on Welsh mercenaries, brought in to guard the royal castles or stiffen the Justiciars' forces, still further swelled the Cambrian element. Indeed, a charter of a century after the Conquest claims half the credit for the Welsh followers or kinsmen of the *conquistadors*.[1]

Thus while the leaders were "Franci" or "Galli," as Giraldus and royal charters call them, the rank and file were Welsh and Flemish, "Wallenses" and "Flandrenses." The solid and industrious Anglo-Saxons only came with the planting of the towns and the organising of manors. Normans, Welshmen, and Flemings were the spear-head of the enterprise, and the character and past history of these feudal chiefs and professional fighters inevitably made the conquest one of violence and spoliation. It was with a small levy of these mixed elements, commanded by a Fleming, Richard FitzGodebert, from Roche, near Haverford, that Dermot returned to Leinster early in August 1167.

A strange indifference to these proceedings oversea had marked the Irish side; nevertheless, Rury O'Conor, inspired by Tigernan, marched against Dermot and defeated him at Cill Osnadh, but accepted propositions of peace, and left him in possession of the ten cantreds of Hy Kinsella, on condition of giving his sons, Conor

[1] For many Welsh names in County Dublin, north and south, see *Gormanston Register* and *Cal Docs. Ireland* under Caddel, Kenefeg, Taaf, Kenereg, FitzRhys, etc. Walsh is now one of the most numerous of Irish names, as Fleming is a common one. *Christchurch deeds*, 20*th Rep. D. K., App.* 57, No. 130, gives this charter, "1282—Henry FitzRys, son of Henry, lord of Penkoyte, confirms grants made by his ancestors to Holy Trinity of the advowsons of the chapel anciently called Kyiengly, but after *the arrival of the English and Welsh in Ireland* called Penkoyte, belonging to Kylculen Church, he property of Holy Trinity."

and Enna, as hostages and paying O'Ruairc an honour-price of a hundred ounces of gold.

But Dermot was only marking time, and at last Fitz-Stephen, Hervey Montmorency, and Maurice Prendergast, a Flemish gentleman, arrived at Bannow, in South Wexford, with three shiploads of men on May 1st, 1169.[1]

"The fleet of the Flemings came to Erin," say the *Four Masters*, "they were ninety heroes dressed in mail, and the Gaels set little store by them." Wexford at once fell before Dermot, reinforced by such allies, and Ossory was raided; yet, though Prendergast boasted "We are nearly all well-armed, while the traitors (the Leinster Irish) are naked (*i.e.*, unarmoured)," O'Conor's advance-guard drove Dermot back to Ferns. Again Dermot submitted, but only to stave off the High-King, till at last Maurice Fitz-Gerald and Raymond le Gros de Carew landed, and next Earl Richard himself landed near Waterford on August 23rd, 1170, with two hundred knights and one thousand men.[2]

With the coming of so great a man, prospective son-in-law and successor of the king of Leinster, the enterprise took a new stage. Waterford had thrown off its allegiance with other vassals of MacMurchada. It was at once attacked, and though its jarls, Ragnall and Sitric, who represented the ruling Macgillamaire race, made a brave resistance, the city fell on August 25th, and Sitric was put to death, while the life of

[1] *Giraldus*, Book I. Chap. IV. says FitzStephen had thirty men-at-arms of his own kin and retainers, sixty others clad in mail, and three hundred foot-archers, *the pick of Wales*. *Tigernach sub* 1169 —"A great throng of knights came from over sea with MacMurcadha."

[2] The Earl seems to have got a guarded permission from Henry to go to Ireland (see Orpen, I. p. 181). The *Expug. Hib.*, Book I. Chaps. V-XI. describes Rury penning Dermot with his Normans in Ferns, and puts speeches in the mouth of Rury, of Dermot, who says, "My ancestors were monarchs of Ireland and held Connacht," and of FitzStephen, who boasts of the Trojan and French descent of himself and companions, and says, "It may be the consequences of this enterprise that the five portions into which the island is divided may be reduced to one and the dominion of the whole kingdom devolve on our posterity." Nevertheless, Dermot submitted to Rury and got Leinster confirmed again.

Ragnall was spared. The marriage of Strongbow and Eva MacMurchada was then performed in the Ostman cathedral of Holy Trinity.

In assuring to FitzGilbert the kingdom of Leinster after him, Dermot was violating the whole Irish law of succession, setting aside the elective rights of the free races, and the claims of his own sons, Conor and Enna, and his own brother, Murchad.[1] In a country where descent was traced through males alone the claim of the foreign Strongbow to rule in right of his wife, though sound in feudal law, was unheard of.

Both sides equally recognised the importance of Dublin at this stage of the struggle. It was also in rebellion, nor could either side let it fall into hostile hands.

The Ostman town, centring around the "fort of Dublin" (Dún Atha-Cliath), covered the ground from Castle Hill to the Liffey and from Island Bridge to the eastern gate near the modern church of St. Andrew. Its churches were many and its old Norse population numerous, but in addition Dublin was a cosmopolitan port, a meeting-place for traders from Bristol and Chester and viking merchants from the whole Norse world. A convenient and hospitable place of refuge, it had sheltered many a Welsh, Irish, and Saxon prince; indeed, more than one foreign prince kept a Dublin house, and the king of Leinster, the lord of the Ui Dunchada, and of course Earl Asgall himself, had stone mansions in the city.[2]

[1] According to Giraldus, Donal Kavanagh, Dermot's eldest son, was illegitimate.

[2] Among the witnesses to Archbishop Laurence's grant to Holy Trinity, *circa* 1178, are these Ostman clergy: Christin, the abbot, Torquell, archdeacon, Joseph, priest of St. Brigid's, Godmund, prior of St. Mary's, Gillibert of St. Martin's, see *Chartae, privilegia*, etc. Earl "Haxald's" garden is mentioned in *Christchurch deeds*, No. 43. A coin of *Askel mac Torkil* is shown in Plate 2, No. 34, Lindsay's *Coinage of Ireland*. The MacTorcaill lands in north County Dublin are referred to later, p. 83. They included Balebaghill and Swords (as I infer from *F. M.*, 1035). For the "land of the sons of Turchil" in south County Dublin see *Norman Settlement in Leinster*, Mills, *J. R. S. A. I.*, 1894, and *Rot. Canc. Hib. Cal.*, p, 4. They stretched from Tullagh, near Cabinteely, to Bray. See later. Ostman is the Norse "Austmathr," "East-man," from being on the east of Ireland.

Asgall, or Hasculph as Giraldus calls him, son of Ragnall, son of Torcall, was now earl or *mór-maer* of Dublin, and had been Dermot's vassal. The garden of his Dublin house is mentioned in an almost contemporary deed, and outside the city he and his brother, Hamund, held extensive demesnes both north and south of Dublin, from Portrain and Kinsaley to Baldoyle and Howth, and from the city south to Bray. Southwards along the coast, Wicklow and Arklow were Ostman strongholds, and might be rallied to the defence of the Ostman capital.[1] Among the Irish states of North Leinster O'Cathasaigh, chief of the Saithni, ruled much of Fine Gall as overlord of the Ostmen.[2] Commanding the upper Liffey, as Dublin did the lower, was Ui Faelain, called Offelan by the Normans. With its capital at Naas, it covered North Kildare. Its chief, Faelan MacFaelain, was of the family which formerly O'Conor had set up over Leinster, and was now one of Dermot's rebels. The Ui Muredaigh held south Kildare; here, however, the ruling bishop, O'Tuathail, brother-in-law of Dermot and brother of the archbishop, wavered between the two sides.

East of the Liffey and south from the city to the Wicklow hills lay the land of the Ui Dunchada, or Feara Cualann, whose present chief, Donal MacGillacolmoc, son-in-law of Dermot, was to play a deciding, if a mercenary, part in the Conquest.

The Ui Dunchada, who took their cumbrous patronymic from a Gilla-mo-cholmoc of 1050, had of late built up a great lordship. As the Norse power waned, MacGillacolmoc extended his demesnes as far as Raheny north of the city. A Donal of this name had ruled Dublin from 1125 to 1134 during the youth of Dermot MacMurchada, and during this time made a

[1] See Harris, *Coll.*, i. p. 11 (1185), grant by John of "*una carucata terre apud Wichinglo que fuit Ostmannorum.*"

[2] The Saithni stretched from east Meath (where Dunsany commemorates them, according to Hogan, *On.*), into County Dublin, where "O Cadesi's" land later became the barony of Balrothery West.

permanent residence for his family in a quarter of the city.[1] His son, or grandson, Donal, founded the great Cistercian abbey of St. Mary there. A marriage between a younger Donal and Dervorgilla, daughter of Dermot, had lately united the two families. MacGillacolmoc's southern lands stretched some sixteen miles east from his capital at Liamhain (later Newcastle Lyons) to the mouth of the Dodder and the gates of Dublin; southwards it stretched to Delgany and Rathdown along the coast, to Glendaloch and the heart of the Wicklow mountains.[1]

"Now," says the *Song*, "all the pride of Ireland was at Clondalkin on a moor." While Dermot and the earl were marching from the south, the High King, with O'Ruairc, and Murchad of Oriel, and levies from North Leinster, encamped on the Green of Dublin. Giraldus says that the Dubliners had summoned all Ireland to their aid, and that Rury's army was thirty thousand men, an imaginary number, while Dermot and the French were five thousand and five hundred, which is more probable. The earl, Raymond le Gros, and Milo de Cogan led the Normans, and Donal Kavanagh was Dermot's marshal.[2]

[1] A street (*vicus*) in Dublin and a gate continued long after the Conquest to bear MacGillecolmoc's name, see Gilbert's *History of Dublin*, I. pp. 230 and 403—"Gilleholmocstrete" and "Porta Gillemoholmoc." For this family, its possessions and fate as FitzDermots, barons of Rathdown, see *Chartulary St. Mary's R. S., passim*, *Reg. St. Thomas*, Dublin; Gilbert, *Hist. and Mun. Docs. of Ireland* and *History of Dublin*, pp. 230-5. Rathcoole and Kilcullen, Tallaght, Clondalkin, Donnybrook, and the whole Dodder, were in Ui Dunchada; the chief seat, Liamhain, is eight miles south-west of Dublin near to the Liffey, which river, however, save at Dublin this state did not touch. Mill's article, quoted above, gives an excellent map of South Dublin at this time, p. 161. Note that MacGillacolmoc signs Dermot's grant of Baldoyle (previously, p. 21), and this shows that he was one of the overlords of the Norse land north of the city. For Raheny see later.

[2] While the *Song* says the Irish were at Clondalkin, *Tigernach* says they were on The Green of Dublin, "*faithche Atha-cliath*," which, according to Hogan, *On.*, stretched from Kilmainham on the south side of the river to the city. In any case the Irish array must have been widely spread. The Gaelic accounts do not ascribe a national array to Rury; naturally the Norman accounts would exaggerate the number of the foe. Giraldus says the Irish held all the roads and passes, but makes the subsequent fighting an affair of Dermot's army *versus* the Ostmen.

Dermot now displayed the gifts of a strategist. The Irish held the passes to Dublin from the Barrow side, but MacMurchada and his Normans, making a forced march " by the mountain, the hard field, and the open ground," along the eastern slope of the Wicklow hills, reached the capital safely.

The Norman account of the fall of Dublin is as definite as the Irish is vague and turbid. The allies at once beleaguered the city and completely cut the Norse off from the Irish army on the west. Mindful that they were Dermot's rebels, the Dubliners sent Archbishop Laurence to negotiate a peace which would have put Asgall back into his old position as vassal of Leinster on payment of indemnities, but while the Ostman jarl demanded a day for providing the hostages demanded by Dermot, Raymond le Gros and Milo de Cogan, without orders from earl or king, attacked and captured the city with all its booty, while Asgall put to sea with his chief men. It was not the nature of this predatory race to let dull parleyings rob them of so rich a prize, nor were Dermot and the earl minded, we may well suppose, to let the chief strategic point in Ireland escape them by a facile submission which a return of Asgall with a viking fleet might soon annul.[1]

Deserted by the High King and taken before a determined stand could be organised, Dublin thus became the capital of the invaders. Leaving De Cogan to guard the fortress, Dermot and the earl now returned south, the one for Ferns, the other for Waterford.

Had Dermot contented himself with the recovery of his kingdom, the mild-minded Rury might have

[1] *Giraldus* and the *Song* give the Norman side, *Tigernach* and the *F. M.* the Irish, and certainly are more intelligible. The *F. M.* say, " The Foreigners of Dublin forsook the Men of Leth Cuinn [i.e., parleyed with Dermot], and were treacherously slaughtered by the (English) Foreigners. Ruaidhri then faced the English and the Leinstermen for three days till lightning burned Dublin." The *Song* also says, " Dublin was burning " on St. Matthew's Day, and it seems as if " lightning " is a way of expressing that the city was set on fire by the Norman vanguard so as to cover a treacherous attack. Anyway, Rury displayed little resolution.

accepted the verdict of battle. But immediately Dermot marched into Meath to pursue his vendetta against O'Ruairc. Rury first reminded him of their former treaty, by which Dermot kept Leinster, and bade him dismiss his foreign bands, and refrain from invading other men's land or he would put Dermot's hostages to death. Dermot only answered that he intended to reduce all Connacht, and even all Ireland (as his ancestor, Cathair Mór, had done). O'Conor then put to death Dermot's son, Conor, and two other hostages.

The Irish side was now without a leader, lay or cleric, worthy of the crisis. At the latter end of 1170, the spiritual heads, under Gelasius of Armagh and Laurence of Dublin, met to consider remedies. Their chief resolution is best given in Giraldus' words: "It appeared to the synod that Divine vengeance had brought this judgment upon them for the sins of the people, and especially for that they had long been wont to purchase natives of England from traders, robbers, and pirates, and to reduce them to slavery, wherefore they were now themselves by reciprocal justice reduced to slavery by that very same nation. *For it was the common practice of the Anglo-Saxon people while their kingdom was intact to sell their children and send sons and kinsfolk to be sold in Ireland at a time when they were not suffering from poverty or famine.* The synod therefore decreed that all Englishmen throughout Ireland who were in a state of bondage should be restored to freedom."[1] Here Giraldus does not condemn the Irish more for buying than the unnatural English for selling their children.

This decision did more honour to the heart than to the head of the Irish prelates, who thus further blackened Ireland's case. It was not the time now to indict their own nation, already in discredit with Rome, nor was the record of Ireland in this matter so exceptional that foreigners could throw stones at her.

[1] *Expug. Hib.*, Book I. Chap. XVIII.

The English willingly sold, and the Ostmen of Dublin and the traders of Bristol were the "brokers" of slaves. William of Malmesbury states that Bristol was the great mart for this trade, and adds that William the Conqueror himself sold Saxon and other war captives in Ireland. "For Lanfranc being in such favour with William procured that the King abandoned his evil custom of selling his prisoners in Ireland, a grace, however, hardly granted to Lanfranc and Wulstan, bishop of Worcester, for the King's gain by this traffic was so great."

All the fringes of Europe were guilty in this unhappy business. A generation after the death of Malcolm Canmore, who died in 1093, a monk of Durham wrote that the population of north England was so diminished by Scottish harryings that scarce a village or even a cottage north of Tweed was without its English captives.[1] Yet the Scots at no time admitted that the sins of their people merited the loss of national independence.

Dermot MacMurchada, the bad man of his times, "who made Ireland a trembling sod," died on the 1st May, 1171, at Ferns, at the age of sixty-one. If we may regret anything in his career, it is that he did not sin boldly while in the way of it, and with his Norman *condottieri* live to conquer all Ireland and found an independent Norman-Gaelic state. With the disappearance of MacMurchada, Earl Richard became in effect King of Leinster, but this timid and respectable man lacked true audacity, and was all too conscious of his anomalous position both in Brehon and in English law.[2]

Now was the moment for a true king to rally all

[1] William of Malmesbury R. S., Book III. Chap. I. and Terry, *History of Scotland* (1920), p. 24.

[2] Note the clever biting remarks of Giraldus on him, *Expug. Hib.*, Book I Chap. XXVII.: "He never relied on his own judgment so far as to take the initiative in ordering an attack and he never of his own inclination staked all on mere personal valour. During an engagement ,where his banner waved, there was ever a firm rallying point or a safe refuge for his men."

Ireland, expel the foreigners, instal Murchad in his brother's kingdom, and thus restore the Gaelic state.

Next under O'Conor, these were now the kings of Ireland. Donnslebhe, whom the Normans called MacDonlevy, succeeded his brother, Magnus MacDonnslebhe, in Ulidia in 1171, Murchad O'Cervall was now king of Oriel, and Magnus O Melachlin ruled till 1175 in eastern Meath, while Donal of Bregia, nephew of Dermot O'Melachlin, ruled till 1173 in Westmeath.

A pathetic fate was destined for these last princes of Oriel, Ulidia, and Meath, who were to perish along with their kingdoms.

Munster had lost the unity of a century before, and was now divided between Donal Mór O'Brien and Dermot MacCarthy. While Donal was in Irish "Rí Tuadh-Mumhain" his Latin title, "*Rex Limericensis*," attests how the O'Briens had forsaken Kincora for Limerick and planted themselves on both sides of the Shannon over the "Kingdom of Limerick." Donal's charter of foundation to St. Mary's Cathedral at Limerick, which begins "*ego D. magnus divini muneris largitate Rex Limericensis*" shows how thoroughly the old Ostman city had become his. In other foundations his royal right of land-grant and confirmation is clearly emphasised.[1]

Donal O'Brien, and not Rury, was the true saviour of Gaelic Ireland could he have grasped a true national aim.

The Ostman city of Cork had become the capital of the MacCarthy kings of Desmond. When later Henry II. granted to FitzStephen and De Cogan the "*Regnum Corcagiense*," from Brandon in Kerry to the water of Lismore, he was defining MacCarthy's kingdom, which had taken a new name from its Norse capital.

[1] See *Black Book of Limerick*, ed. macCaffrey, p. 34, No. XXXII. for Donal's charter to St. Mary's, also *Nat. Facs.*, Plate LXII. In a charter to Forgy Abbey, Co. Clare, he confirms "terras quas ei [priori] donavi *sive cum voluntate mea alii donaverint*," *R. S. A. I.*, 1892, p. 76. For Donal's churches in general, see Lenihan's *Limerick*, p. 541.

Dermot MacCarthy's charter to the church of Cork in 1174 shows that then, four years after the Normans, the city on the Lee was his royal seat.[1]

According to Giraldus, Henry of England had already, before Dermot's death, forbidden any more of his subjects to go to Ireland, and had ordered those there to return, and Strongbow, fearing Henry's wrath, had sent Raymond to Aquitaine to place Leinster at the king's feet. The general resurgence of the Irish under O'Conor was indeed warranted to make Earl Richard uncertain of himself. Laurence of Dublin was the leading spirit, says Giraldus, of a movement which took in Connacht on one hand and Norse-Gaelic Man on the other.[2] In Leinster itself Murchad MacMurchada could not be counted on, and the north Leinster states obeyed the summons which the High King sped through all Ireland. The Irish vanguard, under O'Ruairc and the kings of Meath and Oriel, cooped up the garrison of Dublin under De Cogan in the citadel, together with Strongbow, who had come to their aid, and the national army, under Rury himself, appeared before the capital in mid-summer, 1171. According to the *Song* and Giraldus, the High King held the centre at Castleknock. Donal O'Brien and Murchada MacMurchada encamped at Kilmainham with the chiefs of Offelan, Ui Dunnchada, and Ui Muredaigh; and O'Ruairc with the kings of Oriel, Ulidia, and Meath, and O'Cathasaigh of the Saithni lay about Clontarf.

But Tigernach says that only O'Conor, O'Ruairc, and O'Cervall of Oriel took part in the siege. "Domnall O Briain had revolted against the King of Erin" in 1170, and a great war ensued. Certainly if Donal was at the fight he added nothing to his fame.

[1] *Cork Arch. Soc.*, 1904, p. 145. An Ostman Mayor (*mór-maer*), possibly of some former royal line, ruled in MacCarthy's name, *viz.*, Gilbert, son of Turgar, slain in 1173 by the Normans, see later.

[2] *Expug. Hib.*, Book I. Chap. XXII. Giraldus is the only authority for Laurence's being the genius of the Irish-Norse alliance, and even he says, "The Irish were moved to this, *as was reported*, by the patriotic zeal of Laurence, who joined with Roderic and Gottred of Man."

By this far-deployed array, the Earl was hemmed up in Dublin for two months, while FitzStephen himself was penned up in Carrick-on-Slaney by an Ostman revolt. O'Conor's plan was evidently to hold the besieged till that Norse flotilla with Asgall on board should arrive which Gothric of Man had raised at the prayer of Laurence. So hard pressed, however, and short of supplies was the earl that finally he sent Laurence to Rury, offering to become his man and hold Leinster of him. The High King would grant him to hold only Dublin, Waterford, and Wexford; and if this was not accepted, let Strongbow prepare for an attack on the morrow.

Rury thus sealed the fate of Ireland. Had he accepted FitzGilbert's surrender, he might have ended his days still "Ard Rí Erenn," with the earl as but one among his sub-kings. But his answer inevitably threw Strongbow back upon his liege lord, the King of England.

At this moment of dismay, Maurice FitzGerald revealed the true mentality of the Norman, a race landless and nationless, ready to accept or reject any allegiance, but determined to be masters of their fate. Addressing the barons, he declared for instant onward action. "Is it succour from our own country we expect? Such in truth is our lot that while we are English to the Irish, we are Irish to the English. For the one island does not detest us more than the other." There spoke men who did not mean to go home, who, indeed, had no home to go to, and before many generations the clan of this Geraldine in the spirit of his words turned Irish as the Irish.

So the besieged arrayed themselves for a desperate sortie. De Cogan led the van, Raymond, Donal Kavanagh, and the earl followed; the nucleus of the whole army being six hundred mailed men. Marching over Dubhgall's bridge and sweeping round by Finglas to the south-west, they burst in on the High King's army encamped on the Liffey and completely routed it.

Fifteen hundred of the Irish fell, the High King escaped, and his camp, with enough corn and meal to last the conquerors a year, fell into their hands.[1] The date, according to Giraldus, was about September the first. Tigernach says briefly: "The earl and Milo de Cogan entered the camp of Leth Cuinn," i.e., attacked the northern army; evidently if there were Munster and Leinster levies to the south, they retreated without a blow, on hearing of Rury's defeat.

Thus fell the Irish monarchy which had existed for a thousand years, and fell without the dignity of a Zama or a Hastings.

The earl now set off for Ferns, together with Donal Kavanagh, to subdue the Leinster rebels and raid Ossory, which he claimed as a dependency of Leinster, and scarcely had he gone when the Norse flotilla arrived in the Liffey, too late to save the day which Rury had lost. Earl Asgall and John the Wode (the mad), a belated berserk, had collected from Man and the Hebrides a commando, which filled sixty ships, of mail-clad infantry, "men with iron hearts and iron arms," says Giraldus. Marching from the "Stein" where they had landed, they made for the eastern gate, but De Cogan engaged them in front and a flank attack on their camp at the Stein staggered them from behind Finally, the intervention of an Irish chieftain turned the day against Ireland and them. Donal MacGillacolmoc, who had come to make terms with De Cogan, had watched the fight from the Thing-mote, till he could know which of the two kinds of Foreigners should prevail, and now struck in upon the Norsemen's flank. After an honourable stand, in one of the last of viking battles, they broke and fled to the ships. John, refusing to fly, was hewn to pieces, and Asgall was taken and beheaded in his own hall.[2]

[1] *Song*, ll. 1798-1955, and *Expug. Hib.*, Book I. Chap. XXIV. If Laurence was the genius of this national confederacy it is strange that he was in the city and so trusted by Strongbow.

[2] *Expug. Hib.*, Book I. Chap. XXI. The Thing Mote, or later the Hoggen Green, was a raised mound, on the south side of College

For all that, Strongbow saw that without Henry's approval he could not hope to hold Leinster. Ostman Wexford had revolted, and FitzStephen was a prisoner. In spite of his family tradition, the earl felt himself to be Henry's "man," and yearned for a legal and respectable position in his Irish lands.

A Norman conquest in the English sense, where the conqueror himself became king and bridled the feudal class, at once his allies and his enemies, was not fated for Ireland. FitzStephen, the Geraldines, and the first-comers believed they could master Ireland single-handed, and blend the five kingdoms into one, of which they would have made their lord, the Earl of Pembroke, the resident king. For they were men with no English ties, barons of Stephen's age, men of that Norman type whose cruelties and lawlessness are recorded in the last entries of the Anglo-Saxon *Chronicle*, and whose genius for war and domination had been stamped on every country from Tweed to Orontes.[1] Born in the Guiscard tradition, they were ready to make themselves kings, and chafed to be followed to their new home by that same royal authority, obnoxious to true feudal minds, from which they had gladly escaped.

But Strongbow was inwardly a man of Henry the Second's time, apprehensively looking for reward and recognition to his royal master. Thus was it possible for the new centralised Monarchy of England to follow the first adventurers over to Ireland, to rob them of the full fruits of their enterprise, and establish an absentee branch of itself on a country which, for a thousand years, had never lacked a native king.

Determined that a new Norman realm, possibly a rival one, should not arise beyond the sea, and glad

Green. The "Stein" or pillar-stone was at the usual place of disembarkment from the Liffey. See the *Song*, ll. 2230-2495, for Gilmoholmock; he was at peace with Milo and came to offer himself. Milo says to him: "Aid neither us nor them, but if these men be discomfited help us, if we be recreant aid them to cut us to pieces."

[1] See Anglo-Saxon Chronicle *sub* 1137 describing the devilries of Stephen's baronage: "This and more the land endured for nineteen summers and men said openly that Christ and His saints slept."

of a diversion from that terrible matter of Becket's murder on December 29, 1170, Henry set out for Ireland. To forestall his wrath, Strongbow appeared at Pembroke, where Henry lay during September and October 1171, and placed all his conquests in the King's hands. The Leinster Irish themselves turned to Henry as a protector, and at Winchester, on his journey west, he had already received envoys from Murchad MacMurchada and from the Wexford Ostmen, who told him they had his "felon," FitzStephen, safe in hold.

"The son of the Empress" (Mac na h-Imperasi), as the Irish called Henry, landed near Waterford on October 17, 1171, with five hundred knights and four thousand archers. Evidently he did not intend a conquest by arms, but relied on his prestige, imposing array, and Adrian's Bull to secure a general submission. At Waterford he made Strongbow Earl of Leinster, reserving to the Crown the cities of Dublin and Wexford with the contado of Dublin and the coast as far as Arklow, i.e., the old Norse kingdom.[1] Now came in the kings of Leth Mogha, long embittered against the victorious North. Dermot MacCarthy came to Waterford, did homage, and received his kingdom under tribute. Marching inland, at Lismore Henry met a churchman very acceptable to him, the Legate, Christian, bishop of that see. On the way to Cashel, which Henry visited as being the most sacred place in Munster, Donal O'Brien, O'Faelain of the Déisi, and Donal MacGillapatraic of Ossory, did homage for their states. Turning back to Waterford after arranging with Christian for a general Synod, Henry finally reached Dublin by the western route on November 11, receiving on the way, or in the capital, the submission of the princes of Offelan, Ui Dunchada, Ui Muiredaigh, of Murchad of Oriel, and even of Tigernan O Ruairc

At Lismore, says Matthew Paris, writing in the

[1] At Waterford Henry also took the Ostmen of the city under special protection of the Crown in a charter beginning "*Houstmanni Waterford ligei homines sunt.*" Carew, *Miscell.*, p. 466.

next century, "King Henry assembled a council where the laws of England were by all freely received and confirmed with due legal solemnity."[1]

Giraldus says nothing of this, yet it may well be that Henry, either at Lismore or Dublin, made some declaration of rights to such Irish prelates and princes as did homage to him. For, from the early days of the Conquest, the five royal races, the "*quinque sanguines*," or kings of provinces, were entitled to plead in the Anglo-Irish courts, an equality retained till the Statute of Kilkenny.[2]

Surrounded by his new vassals, Henry wintered on the Thing-mote of Dublin, where the Irish kings had built for him "a royal palace made with admirable skill, after the fashion of the land"—a temporary house, namely, of timber uprights with withy-rods plastered with lustrous clay.[3] According to the native annals, Munster, Leinster, Meath, Ulidia, Oriel, and Brefni submitted to him. Rury refused homage, though Archbishop Laurence was sent to bring him to terms. Both Melachlin MacLochlain, king of Cenel Eoghain, and Flahertach O'Maeldory, lord of Tir Conaill, similarly ignored the new conqueror.

During the winter, Henry gave to Dublin its first charter of civic liberties; he declared it a royal city, and granted it to his men of Bristol with the liberties of that place.

Though assuming the style of king, Henry made little provision for an effective central government. Hugh de Lacy, who had come with him, became warden of Dublin, and Justiciar of Ireland. The new barons of Ireland would naturally act as a council for

[1] Matt. Paris, *Vita Hen. II. sub* 1172.

[2] Ball, *Legislative Systems*, App. A, and Davies' *Discovery* (ed. Morley, "*Ireland under Elizabeth and James*," 1890, p. 262): "In the third of Edward II. among the Plea Rolls in Bremingham's Tower, all the five septs or bloods *qui gaudeant lege Anglicana quoad brevia portanda*" are given, viz., "O'Neill de Ultonia, O'Molaghlin de Midia, O'Connoghor de Connacia, O'Brien de Thotmonia et MacMurrogh de Lagenia."

[3] Hoveden and *Gesta Henrici*.

the king's deputy, and later it was asserted that a "statute of Henry fitzEmpress" of this date gave the tenants-in-chief the right to choose a justiciar in the case of a vacancy, and till the king should decide.

For holding the land, Henry put garrisons into Dublin, Waterford, and Wexford. The Ostman population, as non-Gaelic, and especially useful to the conquerors, were declared the "King's Ostmen." An ample demesne was secured to the Crown, namely, the Ostman cities, Wexford and its contado, the south coast as far as Dungarvan (which fell to the king by submission of O'Faelain of the Déisi), the Vale of Liffey, and generally the old Norse Dyfflinarskiri, from the Delvin to Arklow. The annexation of the Avonliffey extinguished or reduced those three native states which MacFaelain, O'Tuathail, and MacGillacolmoc ruled. O'Cathasaigh's land of Saithni was annexed, says Giraldus, "*ad regiam mensam*," to the royal demesne. So was most of the MacTorcaill demesne, but the family kept a portion, for later in 1174 Henry from Woodstock confirmed a grant of Strongbow to "Hamund mac Turkil" of Kinsaley and adjacent lands held by him before the coming of the English.[1]

It now remained for the Church to complete the submission of the chiefs. During the winter of 1171-2 a Council met at Cashel under Christian of Lismore, who from 1142, when he became first abbot of Mellifont, had taken chief place in the Reform movement, and now was to make the final rapprochement with Rome coincide with the extinction of native Ireland.

With him were Laurence of Dublin, Cadhla of Tuam, and O'Huallachain of Cashel, while Gelasius, too old to attend, came to Dublin later, so Giraldus tells us, and confirmed.

The decrees of Cashel, confirmed by Henry, completed the work of a whole century of Reform. Many

[1] See later, p. 81, for the Crown lands. For Hamund MacTurkil see *Christchurch deeds*, p. 36, Nos. 1 and 3.

of them are concerned with tithes for the clergy, the regulation of baptism and marriage, the freeing of clergy from lay exactions and legal penalties. But for the future of Ireland the effective clause was this: "Divine offices shall be celebrated according to the forms of the Church of England, for it is right and just that as Ireland has received her lord and king from England she should accept reformation from the same source." The legate, Christian, and Ralf, archdeacon of Llandaff, Henry's representative, were his mouthpiece in presenting this claim It is strange that Archbishop Laurence, a truly Irish-hearted man, should have concurred; still more that he should have demanded no guarantee from the new monarch for the rights of the native Church and the native race. It is only too clear that the native side was silenced by some assertion of Henry's papal-given right both as king and reformer-in-general, a right to which many of the Irish kings had already bowed.[1]

The Bull, however, was not openly proclaimed, for Henry was then under threat of an interdict for Becket's murder. Yet, as soon as he was reconciled with the Pope, and indeed as a grace to this penitent of the Church, for Ireland seemed destined to be the victim whatever befell, Alexander III. did in fact renew Adrian's grant. Letters from Tusculum in September 1172 addressed all concerned. One to Christian and the bishops speaks of the foul customs (*vitiorum enormitates*) of the Irish, as made known to Rome by letters patent of the bishops themselves. They are to assist Henry in keeping possession of Ireland and censure those who break their oaths of loyalty to him. A second bids Henry continue his good work. A third to the kings and princes of Ireland commends them for receiving Henry as king of their own free will. All three echo the words of Malachy about his own nation "a barbarous race, Christian only in name"—a des-

[1] *Expug. Hib.*, V. Book I. Chap. XXXIV; also Rog. Hoveden. *Chron.*, 1171-2.

cription which would have fitted all mediaeval and some modern nations.[1]

In the eyes of Rome, Ireland needed reform; this could only be accomplished through Henry, on whom was conferred the lordship of Ireland in vassalage to the Holy See. The Angevin who was entrusted with "enlarging the bounds of the Church" enlarged also the bounds of his Empire. As for Rome, it was no small triumph for Catholic order and unity over an antiquated and schismatic Church; a triumph such as the Hildebrandine Popes of a century earlier had won over the local churches of England, Spain, and Italy.

Whatever may be thought of Adrian's Bull, no doubt can exist that Alexander presented Ireland to Henry. At a Council of bishops at Dublin in March 1177 Cardinal Vivian as Legate declared Henry's right to Ireland, and enjoined on the whole people not to depart from allegiance. No protest was made, and from that to 1534 English kings, Irish bishops and chiefs, fully accepted the fact and the practical consequences of Alexander's Privilege.[2]

The Irish bishops had, since 1100, sent frequent "black reports" to Rome as to the moral defects of their people, and the decline of their Church, points urged with exaggerated eloquence by reformers such as Malachy, in whom patriotism had been swallowed up by zeal for the Church universal. True, the *entente* of Irish Reformers and Rome need not have led where

[1] These Letters are preserved in *Black Book of the Exchequer*, ed. Thos. Hearn, 1728, I. pp. 42-7, but are not given by Giraldus. Hoveden, II. p. 31, and *Gesta Henrici* say that at Cashel each of the bishops gave Henry a letter confirming to him and his heirs the *regnum Hiberniae in perpetuum*. Giraldus says (Book II. Chap. V.) after Cashel Henry sent to Alexander asking for a privilege. The Pope finally sent a Privilege in addition to the Letters which was read by the papal envoys at the Synod of Waterford [1174 or 1175]; this conferred on Henry the *dominion over the Irish people*. Evidently Henry sent Alexander the bishops' letters.

[2] *Expug. Hib.* Even in the Remonstrance of O'Neill and the Irish chiefs in 1318 to John XXII. they admit that Edward II. holds Ireland by Papal Grant, but as he and his ancestors had not kept their bargain towards the Irish Church and had oppressed the people, they are resolved to transfer their allegiance to Edward Bruce: see later.

it did, but so it befell in the days of opportunist Popes. In Hungary, Poland, South Italy, the Holy See had nursed young nations into life: in Ireland it destroyed a nation. The Irish Church submitted on cosmopolitan and religious grounds. The bishops were honest, if ingenuous. But the submissions of the lay princes did them less credit.

The reasons of their easy homaging are clear Brefni and Oriel, formerly vassal states, thus became primary states under a foreign overlord. O'Brien thought he had less to fear from Henry than from O'Conor. MacCarthy saw a way of securing his half of Munster from his rival, O'Brien, while Ossory, long contested by Leinster and Munster, now preferred Henry to the Norman buccaneers. Even the Ostmen thought the Angevin might be a kinder lord than Irish chiefs or French adventurers.

True, the extinction of the native dynasty in Leinster was calculated to alarm the remaining kings, but to a native "Rí" his own province was the chief concern. The Ard-Rí-ship had been a light matter, a yoke easily borne, and if any one of the greater kings could, since Brian, win this temporary glory, why not confer it on a foreigner, who was in fact an European prince of dazzling fame? In *Cóige* and *tricha céd* "a stranger in sovereignty" might not be tolerated, but in the High Kingship, yes.

When the kings at Dublin "went into Henry's house," as the Irish ran, they thought of themselves as merely giving hostages and homage to a superior who would leave their province-kingships untouched. Henry gave his new vassals no charters for their lordships, and thus seemed to accept their position, namely, as elective captains, having demesnes and prerogatives in virtue of office, while their subjects held under them by ancient custom.[1]

[1] This view is borne out by *Tigernach*, who says under 1170 that Henry "received the kingship of [i.e., kingship over] Leinster, the men of Meath, Brefni, Oriel and Ulidia," and, under 1172, "Henry,

There were native scholars to tell the kings that Henry, as *Dominus Hiberniae* and papal vassal, would have but a personal and feudal sovranty, resembling that which the Capetians had over France outside the Isle de France till almost 1200. But in England Henry was *Dominus Terrae*, from whom all land-titles depended, to whom estates reverted or forfeited on occasion, under whom lordship of land, and seignory over its people, were identical except in so far as the King should check this seignory. This full European form of feudalism was bound to enter Ireland with the new *régime*.

Henry had not won Ireland by the sword. "There was scarcely anyone of rank or name in the island," says Giraldus, exaggerating the numbers indeed, "who did not in person or otherwise, pay to the King the homage due from a liege-man to his lord." After reciting Henry's claims, which include the fantastic legend that Arthur of Britain had Irish kings tributary to him, he makes the submission a legal and constitutional one by saying that the princes of Ireland voluntarily submitted to the King of England, doing him fealty, and taking oaths of allegiance, which contracts, though entered into of free will, are not free to be broken. Finally, papal authority completes and confirms Henry's title.[2]

Thus, either the Irish kings were feudal vassals in the sense that the Scottish king for a time was vassal of the English one, or else the whole Irish people by free contract had been secured in the same rights as the people of England. But, in fact, Ireland was treated as an annexed, conquered, and therefore rightless country, and this was immediately shown when Henry, before leaving Ireland, granted "the land of Meath as

King of England, after taking the *Southern Half* of Ireland and the eastern part of the Northern Half [enough to constitute him High King, in short] returned to England." Note that, generally speaking, it was the Southern Half which welcomed Henry—the old cleavage still persisted.

[2] *Expug. Hib.*, Book I. Chap. CXXXII, and Book II. Chap. VII.

fully as Murchard Hua Melachlin or any before him had held it" to Hugh de Lacy, though he had but lately received the homage of the reigning O'Melachlin.[1] This was more than a mere feudal grant. It was the giving away of a kingdom, a matter of handing over nearly a million acres of the richest land in Europe to a subject, with the rights of a native "Rí" and full feudal regalities, all at the petty service of fifty knights. The rights of O'Melachlin were extinguished and the evil precedent was successively followed in Ulidia, Oriel, Connacht, Desmond, and portions again of these.

De Lacy, indeed, was well qualified to found a new kingdom, a man more of Henry's type that Strongbow's —black, sturdy, and short, firm and steadfast, "avaricious and temperate as any Frenchman," indefatigable in public and private affairs. But his gifts were not at once available for Ireland, for he was summoned to France by the King in the spring of 1173. King Henry himself left Ireland on Easter Monday, April 27, 1172.

[1] The Charter given at Wexford included "all liberties and free customs which I (Henry) have or can have there." Text in *Calendar of the Gormanston Register*, ed. Mills and McEnery, p. 177.

CHAPTER III

STRONGBOW, EARL OF LEINSTER, 1172-6, AND DE COURCY, "*Princeps Ulidiae*"

THE old unity under the High King was now gone, that under an English king was yet far off. In reality, for six or seven years after Henry's departure there was no true government at all, and Strongbow and his Normans worked their own ends. With the Irish kings the immediate need was to protect their own states from the fate of Leinster and Meath.

There could not be double lords, and the native chief had to make way for the feudal one, wherever and however the conquerors could manage it. Thus Tigernan O'Ruairc, whose power had extended at one time to Clonard, was in Lacy's way. A meeting was arranged between them at Tlachtga, the Hill of Ward, and Tigernan, "king of Brefni, Conmaicni, and the greater part of Meath," was slain, by treachery it would seem, and his head sent to Dublin to be set up over the gate (1172). Next "Donal O'Fergail, high-chief of Conmaicni, was killed by the people of the King of England," and his state, the modern Longford, which he held in vassalage to O'Ruairc, was annexed by De Lacy. Thus old Brefni disappeared; the O'Ruaircs, however, continued to hold the western half, Leitrim, while east Brefni, now Cavan, became the lordship of the kindred O'Reillys

In the same year, 1172, Murchad MacMurchada, brother of King Dermot, "was slain treacherously by the people of FitzEmpress." Thus was it driven home that, in spite of homagings, the native kings were doomed to perish along with their kingdoms.

A fate all too common among the lesser chiefs was

that of Faelan, lord of Offelan, who saw his little kingdom extinguished, and died a monk long after, in 1203, in the abbey of Connal, founded by Meiler FitzHenry, one of the conquerors.

In the spring of 1173 Henry sent over an envoy, William FitzAudelm, who published Alexander's Privilege at a synod at Waterford. As De Lacy was now in Normandy, Strongbow was created "Custos Regni," or Guardian of Ireland, in August 1173.

In spite of Lacy's absence his lieutenants made way in Meath, where in 1173 Donal O'Melachlin was killed by his brother, Art, who then assumed the title of king in West-Meath, while Magnus claimed East-Meath. Every Norman advance was secured by "mote and bretesch" fortresses, held by permanent garrisons. De Lacy's fort at Trim was the type which preceded the stone castles of fifty years later, namely, a high mound or mote with flat summit, ditch and outer bailey, and on the mote itself a wooden tower. Seldom was it necessary to build the earthen mote, for Ireland was full of the *dúns*, *cashels*, and *cathairs* of the former chiefs whose place and demesne the Norman lords occupied.

In England the Normans had built their towers out of the stones of conquered towns, such as Oxford. In Ireland, where ecclesiastical buildings were many, the first stone castles were frequently made from the ruin of local churches. The great monastic centres, sheltering traders and artisans, and built on fords and highways, became as at Durrow, Trim, Kells, Kilkenny, and elsewhere, the natural seats and strongholds of the new military caste.

Raymond le Gros was the leader of Norman aggression in the south. In 1173 he plundered as far as Lismore, though MacCarthy had submitted to Henry. While his men sailed down the Blackwater with the booty, they were attacked in the harbour of Youghal by the Ostmen of Cork, who had thirty-two ships, and were commanded by one Gilbert *filius*

Turgarii, MacCarthy's Ostman "*maor*" or governor in Cork. The son of Turgar, however, was killed in the sea-fight, while Raymond, who was with the land force, encountered MacCarthy, hastening to join his Ostmen, at Lismore and routed him, carrying off four thousand cattle from the king.

This breach of faith with MacCarthy alarmed Donal O'Brien, who secured the aid of Rury O'Conor's son, Conor Maenmoy, fell on the Earl's mote-fortress at Kilkenny, and drove its garrison back to Waterford. To punish him, early next year, 1174, Strongbow and Hervey de Montmorency marched to Cashel, only to hear that the High King was advancing to O'Brien's help. They therefore sent messengers hot-foot to Dublin, and a strong force, mainly of Ostmen from the city, pushed westward, but were intercepted at Thurles and cut to pieces by O'Brien and Maenmoy.[1] The Earl got away safe to Waterford, but the spell of Norman victory was broken. "The whole people of Ireland revolted as one," says Giraldus, with some exaggeration. A revolt of Waterford and Wexford penned Strongbow up in an island of the Suir and he was only saved by sending for Raymond le Gros, who was then in Wales, offering him his sister Basilia's hand, and the Constableship of Leinster. Raymond, who had long coveted both prizes, at once sailed for Bannow with four hundred men and brought the Earl to Waterford, which again submitted.

In the North Rury raised a most imposing array, to which came the kings or the levies of all Connacht, Brefni, Oriel, and Ulidia, while even Melachlin of Cenel Eoghain and Flahertach O'Maeldory of Tír Conaill, Rury's son-in-law, gave help.

[1] So Giraldus, but *Tigernach* says that the Earl, having got help from Dublin, marched his whole force to Thurles, where in open battle with Donal O'Brien and the great battalion of Síl Muiredaig, Rury being present with his household troops, the foreigners were routed and 1700 slain. Giraldus says the reinforcements were *Ostmanni*, while Tigernach's *Gaill* might be either Norman or Norse. The English losses according to Giraldus were four hundred men and four knights.

The immediate attack was directed against Lacy's fortress at Trim, which was held for him by Hugh Tyrel. But Tyrel quailed and abandoned the castle, which the Irish destroyed. They then restored Magnus O'Melachlin to his kingdom of Meath, and retired as though their work was done, so that Strongbow, marching to relieve Trim, found only a rearguard to harass.

It was a pitiable result for the Irish army. An extraordinary lack of resolution marked Rury O'Conor's career to the end. So little, indeed, was achieved that Trim was rebuilt, and in 1175 Magnus O'Melachlin was captured and hanged after the ruthless fashion of the conquerors, leaving Art O'Melachlin to call himself king of all Meath.

Wearied with constant ill-success, Rury came to terms with the new Lord of Ireland, and the Treaty of Windsor was negotiated and signed by his envoys and Henry II. at that place, in October 1175. The terms, briefly stated, are these. Henry grants to "Roderic, King of Connacht," that as long as the latter faithfully serves him, he shall be king under him, as his man. He shall hold his land as he held it before Henry entered Ireland, on payment of tribute. The people of Connacht, his subjects, shall pay their tributes to Henry through Rury, and their rights are guaranteed. Those who now hold their lands shall do so in peace, paying their dues to the King through the king of Connacht. If the latter cannot deal with rebels, or with those who will not pay their tributes to the King through Rury, the Constable of King Henry shall assist him. The tribute is to be one hide in every ten of animals slain, both on Rury's land and that of others, except those lands which Henry reserves for himself or others, viz., Dublin, Meath, Wexford, with its appurtenances (i.e., Leinster), and Waterford even to Dungarvan. If the Irish who have fled wish to return to the land of the English barons, they may do so, but they must pay the above tributes or

perform the ancient services (*antiqua servicia*), which they were wont to do for their lands, and this shall be at the will and judgment of their lords (*in arbitrio et voluntate dominorum suorum*). If any are unwilling to return, and their English lords demand them of the king of Connacht, he shall compel them to return. Rury shall receive hostages from those under him, and give hostages in turn to the King of England.[1]

That the treaty was regarded as a triumph for Rury and Ireland is shown in Tigernach's words: "Cadhla O'Dubhai came out of England from Fitz-Empress, having with him the peace of Ireland, and the kingship thereof, over both Foreigner and Gael, to Rury O'Conor, with his kingdom to every province-king from the King of Erin and their tributes to Rury." It was not so complete a triumph as this, however, for Rury was merely left as king of the Gael of Erin, not of the Englishry and the land reserved by Henry.

Rury, in fact, was guaranteed in his native kingdom of Connacht. Over the rest of the Irish states he remained over-lord, or Ard Rí, Both he and Henry guarantee their kingdoms to these kings and chiefs, who are to pay tributes to Henry, as well as their ancient duties to Rury. The King of Connacht himself is to pay tribute of hides, a heavy one, and they pay the same through him to Henry. To restock the devastated land of the English, and provide man-power for the new manors, the old tenantry are to be persuaded or forced to return. These are clearly divided into free-men, *saor-chéiles* or *aires*, from whom the barons can demand the old military services and rent, and the unfree *fuidirs*, etc., *betaghs*, as the Normans called them, who are to be villeins at will. Rury, in short, by this heartless clause handed over a whole rural population to a bondage like Anglo-

[1] Rymer's *Foedera*, vol. i. p. 31. Archbishop Laurence was present, and Rury's envoys were Cadhla (Catholicus), archbishop of Tuam, Cantordis [? Conchobhar], abbot of St. Brendan's at Clonfert, and Magister Laurentius, "*cancellarius Regis Connactiensis.*"

Norman villeinage, the terms of which were to be decided by the new lords.

Henry was evidently coached by Cadhla and Archbishop Laurence in Irish law, for Rury and his vassal kings were clearly left in the position familiar to them, of an Ard Rí, king in his own province, and also over-lord of the other kings, who pay to him the old royal tributes and military service.

The Treaty of Windsor was a solemn and definite pact, making definite the vague terms between Henry and the kings in 1171-2. But there were difficulties in enforcing it. Henry himself violated it soon by granting South Munster to English adventurers, and allowing De Courcy to invade Ulidia. Rury himself had scarcely the resources for controlling the kings of Munster and Ulster, or for paying so large a tribute. Moreover, the Treaty was only made with Rury, and it was a question if it bound Henry's successors to O'Conor's successors. Still, though the O'Conor kingship over the other free states soon disappeared, the Kingdom of Connacht remained a fact till the death of Rury's brother, Cathal Crovderg, in 1224, and to this extent the Treaty of Windsor lasted a full fifty years.

Rury's conception of his rights under the treaty is shown by his dealings with Donal Mór O'Brien, a vigorous prince, who was grasping the kingdom of Thomond in a firm hand, and expelling his Eoghanacht rivals from the plain of Cashel. Rury intervened, and ousted Donal in 1175, giving the kingdom to the son of Murchad O'Brien, his own step-brother. Rury then called on the Dublin government to aid him, and Raymond le Gros marched upon Limerick in October 1175, with eight hundred horse and archers, and by a brilliant stroke captured the city. "It was a famous capture," says Giraldus, "and the conquerors were compensated by plenteous spoil and a vast quantity of gold." But next April Donal besieged the Norman garrison there, and the news of Strongbow's

death decided Raymond to abandon Limerick. The moment the garrison turned their backs, O'Brien entered his capital and held it till his death in 1194. Rury made peace with him, and Donal O'Brien accepted him as over-lord.[1]

Earl Richard died in Dublin of an ulcer in the foot, on June 1st, 1176. Tigernach says of him: "Since Turgesius died there never came into Ireland a brigand that wrought more ruin than he," and the native race could hardly be expected to speak kindly of a foreigner and a conqueror.

Strongbow left no son, and his infant daughter by Eva MacMurchada, Isabella de Clare, was now heiress of Pembroke and Leinster. The sub-infeudation of Leinster had been roughly achieved during the Earl's last five years. Five later counties, Kildare, Wexford, Wicklow, Kilkenny, Carlow, and Leix, were Fitz-Gilbert's princely estate, guarded by such strategic fortresses as Kilkenny, Castlecomer, and the great rock-fortress of Dunamase, in Leix.

After his private demesne had been amply provided for, the rich lands of North Leinster were granted away with little regard to native right. "The more remote cantred of Offelan" went to Meiler FitzHenry, though later it was Bermingham's barony of Carbury, in Kildare. The middle one with Naas went to Maurice FitzGerald with the cantred of Wicklow, and the one nearest to Dublin in North-east Kildare to Adam de Hereford and his brothers. Offaly went to Robert de Bermingham, ancestor of the barons of Tethmoy. Thus vanished most of Ui Faelain.

The baronies of Reban, Slievemargy, and Norragh went to Robert St. Michael, John de Clahull, and Robert FitzRichard respectively, and twenty knights' fees, given to Walter de Ridlesford about Castledermot

[1] *Tigernach*, and Giraldus, Book II, Chaps. VII.-XII. It is *Tigernach* who says Rury called the English in to attack O'Brien; Giraldus says that the reason for the siege of Limerick was that Donal behaved in an insolent manner and repudiated his fealty to the King of England.

in South Kildare, extinguished the rights there of the Ui Muredaigh.

In Carlow the cantreds of Odrone and Forth were granted to Raymond le Gros; in North Ossory Adam de Hereford got "half the cantred in which Achebo is situate, as Dermot Ochelli held it," and in South Ossory Iverk, between Carrick-on Suir and Barrow, went to Milo FitzDavid, one of the Geraldines.

In Wexford South Offelmy, east of the Slaney and Bann, went to Gilbert de Boreart; the Duffry went to Philip de Prendergast, who built Enniscorthy castle; Ferann na gCenel, or Shielmalier, went to FitzGodebert, founder of the Roche family; and Bargy went to Hervey de Montmorency.[1]

After the submission of Dublin Strongbow acted as lord of the Norse territory of Fingall, where a strange medley of lordships already existed. Dermot MacMurchada had been supreme lord, O'Cathasaigh of Saithni had extended to Kilreske near Finglas, MacGillacolmoc was mesne lord over Clontarf as far as Baldoyle, and the MacTorcaills had a demesne stretching from Dublin to Howth, Portrane, and Ballybaghill.

Of these, O'Cathasaigh lost Kilreske to the Earl; most of MacTorcaill's land was taken; and MacGillacolmoc was little regarded when Strongbow gave to Vivian de Curcy "the land called Ratheny even as Gilcolman formerly held it." Howth was given to the first St. Laurence. Later Hugh de Lacy, under cover of his earldom of Meath, granted to Adam de Feypo Santry and Clontarf.

In south Dublin, also a land of mingled Irish and Ostmen, Strongbow made sure of the champain country between the city and the mountains. In addition to his Kildare fiefs, Walter de Ridlesford received in the land south of Dublin "Bren and the land of the sons of Odurchil," at service of five knights' fees.[2]

[1] See Orpen, *Normans*, vol. i, Chap. XI. *Subinfeudation of Leinster* and Mills, *Norman Settlement, op. cit.*

[2] See *Reg. All Hallows*, p. 47, and No. LIII. For the grant to De Ridelsford see *Rot. Canc. Hib. Cal.*, p. 4. "Bren" would seem

Apart from these feudal areas, the Sees of Dublin and Glendaloch retained wide lands in the mountain country and Avon Liffey. Large areas were also reserved for royal demesne, to support the Dublin government. In the Crown lands were included now and later, "O'Cadesi's land," viz., the barony of Balrothery west in North Dublin, the royal forest of Glencree, the coast as far as Arklow and lands along the course of the Liffey, where before long the four royal manors were formed which lasted to Tudor days.[3] To these Crown lands were added the Ostman cities of Ireland, as they fell; and the coast from Waterford to Dungarvan.

Strongbow, however, did not sweep away Irish rights on the scale of a William the Conqueror dealing with Anglo-Saxons. Many chiefs had sided with him, others submitted and kept much of their land intact. Thus MacGillapatraic continued to hold most of Ossory. Ferns and a portion of Hy Kinsella were left to Murchertach, son of Murchad MacMurchada, and the faithful Donal Kavanagh was made "Seneschal of the Irish of Leinster" under Strongbow. Donal, enforcing the Earl's rights, was slain in 1175 by O'Foirtchern and O'Nolan of Forth, but the Kavanaghs held office and lands in Carlow under first the Marshalls and then the Bigods till 1300. While the conquerors held the plains and the coast, it was policy to leave much of

to be Ui Briuin Cuala, the name of a tribe-district in N. Co. Wicklow, from Glencree to Bray. "Odurchel" is clearly a shot at O Torcaill, and would indicate the demsenes of the MacTorcaill race in S. Dublin. The grant, which is imperfect, mentions seven or eight *tuatha* ("hundreds" in Norman eyes), e.g., "the half of Umall [Imaal] which the Uccudeles [? O Tuathail] held," and the *tuaths* of Maigothere, Belongonair, Magonill, which would seem to me to be Ostman names, MacOthir, Baile-Gunair, MacDungall. Ridlesford thus had a territory stretching from the Barrow at Castledermot to Imaal, the Wicklow fastnesses, and Donnybrook and Bray on the east side of the Dublin mountains.

[3] *Viz.*, Esker, Newcastle-Lyons, Cromlin, and Tassagard, which contained some 10,000 modern acres. The earliest Pipe Roll, XII. H. III. gives the royal manors in the Vale of Dublin; it includes the "betaghs of Othee, Obrun, and Okelli," i.e., O Taidhg, O Briuin and O Ceallaigh, tribe-lands in S. Dublin and N. Wicklow, 35th Rep. *D. K.* App. III.

the hinterland to the older lords, and make them responsible for their clans. Often some sort of concordat was made by which a chief kept half of his land, e.g., only half of O'Caolaidhe's cantred of Achebo went to De Hereford. Still the grim phrasing, "as the O'Tothils held it," "as Humoriardac held it," etc., covers numerous cases of sheer expulsion. The first step for the newcomers was to seize the chief's demesne and turn his *dún* into a manor-castle, the head of a barony which, with time, would obliterate the former Irish state.[1]

The border chiefs naturally suffered most. O'Cathasaigh disappeared; the *mór-tuath* of Offelan was extinguished by feudal grants, and the Ui Muredaigh, whose last true "Rí," Gillacomgaill, died in 1176, lost the rich plains of South Kildare, but kept the hill country from Dunlavin eastwards, and under the patronymic of O'Toole, kept Imaal and much of North Wicklow. The North Leinster hills, and especially the fastnesses of Glenmalure, were also the retreat of the O'Byrnes, who represented the Ui Faelain of North Kildare.

One great chief fared better. Donal MacGillacolmoc, brother-in-law of Strongbow, ally in the fight with Asgall, entered the ranks of the Norman baronage, and retained his royal seat at Liamhain. In the ninth year of King John, 1207, "Lymerhim and fifteen carucates of land and a burgage in Dublin," were confirmed to Donal's son, Dermot. Later, in 1215, when Liamhain was made into the royal fortress of

[1] *E.g.*, Matilda de Lacy, heiress of the last de Lacy, granted to the Templars the manor of Coly (Cualgne, now a parish east of Carlingford town) with forty acres of land "which formerly '*O Henrethy rex patriae illius*' held"—a sheer case of seizure by the Lacys of a chief's demesne and his *dún* at Carlingford—the site of a later Norman castle. O Hinnrechraigh was *Rí* of the Ui Meith Mara. So Naas, formerly capital of the Ui Faelain, became a manor-town of the FitzGeralds, barons of Naas—it was granted to Maurice fil' Giraldi by Strongbow "with a cantred of land near Naas which Makelan [MacFhaelain] held." So with Kilreske, O Cadesi's seat, annexed by the Earl. See *Templars in Ireland*, H. Wood, *P. R. I. A.*, p. 375, and *Chartae et Privilegia*, p. 5.

Newcastle Lyons, "John Deremot, nephew of Gilleholmoc," lost his lands there, most of which were taken "for the improving of the King's manor there," while the North Dublin lands had already been taken over by Strongbow. Gradually this family, which took the patronymic FitzDermot, alienated or lost the most of their lands south of Dublin, but in 1400 a John FitzDermot was still lord of the manor of Rathdown.

Of the Ostman race who had been lords of Dublin-shire for centuries, Strongbow felt a natural fear. For some three or four years, indeed, Hamund, brother of Earl Asgall, was permitted to keep Kinsaley and other hereditary lands on the Fingall coast, and other members of the family survived the Conquest longer still. But they were a dangerous race, which might call on a Norse fleet again to their aid, and could not escape the suspicion and rapacity of the conquerors. A sidelight is revealed in this record: "Laurence being then Archbishop, Strongbow and FitzStephen took Ballibaghille where dwelt one Macgoghdane, who after four days fighting was captured and beheaded. The earl then gave Ballibaghille, Portraghin and Kynsali to Holy Trinity." [1]

In Dublin itself, however, a large Ostman population remained, sufficient to send four hundred men to Strongbow's aid at Thurles in 1174.

On the whole, then, Strongbow's conquest was

[1] In 1174 Henry from Woodstock confirmed Strongbow's grant to "Hamund Maccturkyl" of "Kensalich" and other adjacent lands, held by him before the arrival of the English, but in the same year Strongbow grants the land of Hamund MacTurkil to Holy Trinity, Dublin. See *Christchurch Deeds*, No. 1 and No. 44. The fight at Ballibaghille is recorded in *Cal. Liber. Niger, P. R. I. A.*, p. 55. I think *Macgoghdane* an evident corruption [it need not surprise us] for *MacThorcaill*, which to a Norman scribe would sound like "Magorkil," hence it would mean Hamund himself, who thus died like a brave viking resisting expulsion. The year would be 1174 when, Hamund being disposed of, Strongbow grants his lands to Holy Trinity. The Earl's second grant to St. Mary's, Dublin, is of lands formerly held by "Sigrith and Torphin mac Torkil." Thus did this interesting Norse-Irish dynasty disappear, yet till Henry III's reign members of it are "headmen" responsible for the Crown rents of the Ostmen in the Vale of Dublin. *35th Rep. D. K., App. III.* pp. 29-32.

far from being one of extermination. He claimed Leinster as Dermot's heir, and ruled it as a "province-king," calling out, for example, the posse of the province in 1174 against Rury, when his Irish vassals followed him "according to ancient custom."[1]

In making his grants, Strongbow addresses "all his friends and men, French, English, and Irish," implying that many Celtic freemen hold of him. Inevitably, the conquerors took over much of the law and land-divisions of a land so long settled and civilised. The units of *baile*, *tuath*, and *tricha céd* became the Anglo-Irish township or vill, the hundred, and the barony. For *tricha céd* the invaders had the word "cantred," a form of the Welsh "cantref," or "a hundred townlands," a land-unit with which they were already familiar. Originally it would seem that the Gaelic *tricha céd* (with its variants, *aes*, *aicme*, etc.) corresponded to the *tuath*; by now it was certainly very much larger. Hence while the invaders equated the *tuath*, which they called *thoth* or *theodum*, with with hundred and parish, the *tricha céd* was, generally speaking, the barony or cantred, though, indeed, we often find two baronies formed from one *tricha*.[2]

Sometimes, however, a whole *mór-tuath* is granted away, as when Earl Richard conferred all Offaly (Ui Failghe) on Robert de Bermingham. Now, Offaly was divided at the time among three Irish lords, O'Conor, O'Diomusaigh, and O'Duinn, the former having the pre-eminence, but each was lord of a cantred or *tricha céd*.[3]

[1] *Song*, p. 233.

[2] Note that while the cantreds are large, e.g., the three cantreds which formed Offelan, the Ridlesford grant included *inter alia* seven or eight *tuatha* which must therefore have been small in size. After the organisation of shires was complete, by 1297, the division of each county into cantreds for administrative purposes became general. See later. J. E. Lloyd, *History of Wales*, Vol. I. p. 300, says, "The *cantref* in Wales represents the smaller divisions into which the original tribe-kingdom (*gwlad*), e.g., Ceredigion, split up, the king continuing to appoint the heads of these cantrefs." Hence the Norman-Welsh would take the *mór-tuath* and divide it into cantreds, as they did with Offelan.

[3] The charter of foundation of Rosglas (Monasterevan), *circa* 1180 shows that O'Conor is suzerain in Offaly over O'Demsy and O'Dun.

Many of the Gaels, as we have said, remained as vassal-chiefs and as free tenants on the appropriated lands. The agricultural man-power for the new manors was provided from the existing base tenants of Irish law. The "men" who cultivated the demesne lands under the old order would continue to do so under the new. "Bounds according to the custom of Ireland" meant that system of co-cultivation and communal ownership which was universal in Ireland, and such communal groups appear constantly in the "lands of the betaghs" in manor records. The *fuidirs*, *bothachs*, *daor-chéiles*, and even the *saor-chéiles*, the latter degraded as the *ceorls* were by Norman conquest in England, were left undisturbed to produce wealth from the soil. "Betagius," from *biatach*, "food-provider," and "Irishman" (*hibernicus*) ,were Anglo-Irish for "villein" till the whole system died out.

A striking instance of community is that of Baldoyle (balidubgaill), which Dermot MacMurchada before 1167 granted to All Hallows, with its "homines," viz., Melisu macFeilecan and his issue. After the Conquest, Adam de Feypo got from Hugh, first earl of Meath, lands about Clontarf, including Baldoyle, and his heir, Richard, in John's reign made a fresh grant to All Hallows of the same "Mackelygans" of Balydubgil and their issue.[4]

To resume the course of events. Returned from France, Hugh de Lacy was appointed "Procurator general and Custos of Ireland" in May 1177, and so

(Dugdale, VI. Pt. II. p. 1134). The whole subject needs detailed and scientific treatment. Meanwhile we may add to the above statements, which have been duly weighed, that the *mór-tuath* of Fermoy (Fir Muighe) became three baronies, Roche's, Condon's, and Clangibbon's country and the *Tricha Céd Medhonach* (Middle Cantred), formerly O'Cobhthaigh's country in S. W. Cork, became the barony of Barry Roe. The *manor* of Moyavenach is the modern *parish* of Mahoonagh, Co. Limerick, and was a *tuath* of Connello, itself an ancient *mór-tuath*, which after the Conquest became the *patria* of the Desmond Geraldines, and got divided into two baronies of Upper and Lower Connello (*C. D. I.* II. 1251-2, Lands of Thomas de Clare).

[4] *Reg. All Hallows*, No. LIII. and p. 50..

held till 1181. Maurice FitzGerald had died in 1176, leaving three sons, William, baron of Naas, Gerald, and Thomas.

The danger from the North, which bred soldiers in abundance, was now the serious question for the colonists. It came home to them especially when at the end of 1176, Melachlin MacLochlain with Cenel Eoghain and the men of Oriel marched against De Lacy's castle at Slane, destroyed it, and slew Richard Fleming, its warder, and the garrison of five hundred.

In the next year Melachlin, by slaying his rival of the O'Neills, Aedh, became all-powerful, and held single sway till 1185. So in Tír Conaill, Flahertach O'Maeldory, beginning to reign in 1167, ousted and finally slew his rival ,Rury O'Canannain, at Sligo in 1188, and ruled triumphantly till 1197.

The feuds of the northern kings, and the imminent need of striking in before the Ulster menace should culminate, suggested the most epical exploit of the whole Invasion. John de Courcy, a Somersetshire knight, collecting a number of the discontented and restless of the Dublin English, set out to conquer Ulster on his own, without royal permission, at least without any that is recorded. De Courcy, who had come over with FitzAudelin on Strongbow's death, is the one who suggests, most among all the conquistadors, the Norman adventurer of an earlier age: tall, hardy, a bonny fighter, having the courage of his crimes, and owing little allegiance to king or fatherland. His career is a true epic and the *Book of Howth* is his "*chanson de geste.*"

With some three hundred colonists and some native troops, De Courcy set off for the North early in 1177, and on February 1 carried Downpatrick, the capital of Ulidia, and a city as sacred as Armagh itself, by a brilliant *coup-de-main.* But its king, Rury MacDonlevy, soon returned with a great array, and Cardinal Vivian, Papal Legate, who was then at Down,

blessed the native cause. MacDonlevy, however, was again defeated in the battle which followed.[1]

The Northern men were hard to beat, as Giraldus admits. The king of Ulidia then went to Melachlin MacLochlain, his over-lord, got help from him, and returned with O'Carain, Archbishop of Armagh, the bishop of Down, many clergy, and the most sacred relics of Armagh, to face De Courcy once more. But the great rally of the North was totally defeated, the, English slaughtered the clergy indiscriminately with the lay combatants, and the archbishop and bishop were taken, along with the relics, on June 24, 1177.

Several hot contests followed this, in Antrim, in Oriel, and at Newry, and though the Northerners never refused battle, the Norman horse, their archers, and mail-clad foot proved always victors.

De Courcy's first aim had been to conquer Ulidia (Ulaidh), and the title "*Princeps Ulidiae*," which he apparently assumed, would make him the successor of MacDonlevy.[2] But earlier, as there were native scholars to tell him, Ulidia had stretched west of the Bann and Loch Neagh, and these old claims became his. Further, he aimed at subjecting Oriel and then of overthrowing MacLochlain himself with his over-kingdom: thus would the Norman become what the kings of Ailech had been, supreme king over the whole North. Hence the later confusion as to what the earldom of Ulster meant—was it merely Ulidia eas

[1] Cardinal Vivian had just come from Man, where he had married its king, Godred, to Finola, daughter of "Melaghlen mac Lochlen," i.e., daughter of Melachlin, then ruling over Cenel Eoghain. After leaving Man, Vivian landed in Ulster to proceed to Dublin on legatine affairs, and William of Newburgh (*Hist. Rer. Anglic.*, 1177) is responsible for the story that being at Down he encouraged the Irish to fight for their rights—no wonder, considering that the Treaty of Windsor had admitted the right of the Irish kings to their provinces. But De Courcy's victories soon reconciled the Legate to the *fait accompli*, and on arriving at Dublin, at the synod which he called (March 1177) he proclaimed the right of Henry II. to Ireland.

[2] Jocelin, a monk of Inch Abbey, near Down, an Englishman from Furness, address his *Life of St. Patrick* to John de Courcy as *Princeps Ulidiae*; this, however, is the only warrant for the title having been used.

of the Bann and Newry, or was it the whole province, the Ultonia, "Ulvester," and Ulster of later usage?

De Courcy had for the present no further rally of the North to fear. The Cenel Eoghain for twenty years made no attempt to save Ulidia, and the Cenel Conaill turned to conquer North Connacht. Irish Ulidia and Irish Oriel were doomed to disappear before the conquerors. When Murchad O'Cervall died in 1189, a monk at Mellifont, even his patronymic came to an end, and in the portion of Oriel which survived, namely, Monaghan, or "Irish Oriel," the MacMahons took chief place. The unfortunate Rury MacDonlevy lasted on till 1201, when he was slain by the English for plundering Armagh. His descendants, until 1272, claim to be "Kings of the Irish of Ulster," but by 1330, they have disappeared completely from among the chiefly names of the North.[1]

Having conquered, John built the usual castles, at Down, Coleraine, Carrickfergus, and Carlingford. Carrickfergus, with its castle and the Premonstrant abbey which De Courcy founded, became an English town, and the Benedictines and the Cistercians whom he brought, the first to St. Patrick's priory at Down, and the second from Furness to Inch abbey near Down, introduced a new Anglo-French civilisation into the North. With him came in those still surviving "Old English names" of eastern Ulster, Logan, Hacket, Savage, Russell, and such. It was the first Plantation of the North, but a French, not an Anglo-Saxon one, for De Courcy neither expelled the Irish nor planted English plebeians. It was, and remained, the thinnest of the English colonies.

If De Courcy was not entirely after the Irish heart, as little was he an Englishman. He rendered no homage for Ulidia to Henry or John, though his charters recognise them as liege lords. Conscious of

[1] *Cal. Inquis.*, vol. vii. 7 Ed. III. on De Burgo lands in Ulster names the Irish vassals of the Earl, but MacDonlevy is not among them.

the need of maritime allies, he married in 1180 Affreca, daughter of Godred, king of Man, and sister of Ragnall, who ruled after his father from 1187 to 1229. Ragnild, Godred's sister, had married Somerled, Lord of Argyle, founder of the MacDonnells. Godred himself was husband of Finola, daughter of Melachlin MacLochlain, King of Cenel Eoghain. The most un-national of all the conquistadors, and with the true Norman instinct for "happy marriages," De Courcy thus allied with that Norse-Gaelic fringe which lay between Ireland and Alba and dreamed of founding a kingdom with its base on Ulster and Man.

As Ulster had been invaded without right, so now was Connacht invaded. Tigernach records it thus. Early in 1177 De Cogan and the English of Dublin marched to Roscommon, where they were joined by Murchad, son of Rury O'Conor, who guided them through the Plain of Connacht, which they burned, to Ath-mogha and the Tochar, or causeway, of Móin Connedha into the high road, or *slighe mór*, of Lecc Gnathail, and over Ath Finne near Dúnmór and direct to Tuam. They burned five churches and the fort at Galway, and were three nights in Tuam without food or profit, for the people had fled to fastnesses with their belongings. Rury O'Conor marched against them and did not allow the foreigners to lift a head till the place of battle was given them. Then the English fled till they reached Móin Connedha, where, but for Murchad, they were utterly broken, and so to Ath-liac, where there was panic, and so out of Connacht, knowing not the extent of their loss.[1]

Then the traitor Murchad fell into the hands of Rury and was blinded by his orders.

[1] Here is a clear case where the invaders used great existing roads. The whole march of De Cogan was clearly on a customary route, suited for his cavalry and war-carriage. Móin Connedha was an important meeting-place, the scene of many encounters, lying between Ballymore and Dunmore, Co. Galway. West from it was a highway nto Connacht called *Slighe mór lige gnathoil* (Hogan, *On*).

In vain should we condemn or explain away these raids on Irish kings whose rights Henry had guaranteed. The feudal class were robbers while they conquered and tyrants while they ruled. The spoils of a great and fertile country had been thrown to them, and Henry, even had he wished to restrain them, could only have done so by his personal presence.

CHAPTER IV

PRINCE JOHN, *Dominus Hiberniae*, 1177-1199

At the Council of Oxford, May 1177, Henry turned his attention once more to Ireland. Prince John, then only ten, was styled Lord of Ireland; Hugh de Lacy was appointed Procurator-General, with a re-grant of Meath at service of a hundred knights; and by several sweeping grants, or rather confiscations, Henry violated both the form and the spirit of his treaties with the native kings. He bestowed the *Regnum Corcagiae* jointly on Robert FitzStephen and Milo de Cogan, and the *Regnum Limericense*, or Honour of Limerick, on Philip de Braose, a knight of Brecknock. The kingdom of Cork was to be held at service of sixty knights; so was that of Limerick; but the two cities of Cork and Limerick, with the cantred of the Ostmen in each case, were reserved to the King. The boundaries of Cork were defined as from Mount Brandon in Kerry to "the river," near Lismore. The *Regnum Limericense*, though not defined, evidently meant the later counties of Limerick and Tipperary.

The three grantees at once returned from England in November 1177 and sailed into Cork. There FitzStephen and Cogan made peace with Dermot MacCarthy, and at once divided between themselves seven cantreds, of which four, on the west of the city, went to Cogan, and three, on the east, went to FitzStephen, while twenty-four were left to Dermot, apparently on terms of tribute to the two barons.

As far as feudal grants could avail Henry had now left little in Munster to the Irish. The county of Waterford, from the Suir to the Blackwater, he granted in custody, as Crown lands, to Robert le Poer, the

Marshal, whose descendants became the actual lords of half the county.

About the same time, in 1177, Cardinal Vivian, presiding over a synod at Dublin, in the name of the Holy See re-affirmed Henry's title to Ireland and ordered obedience to the King from clergy and laity.

By the grants of Limerick and Cork, Henry had abrogated Rury's overlordship there, as guaranteed by the Treaty of Windsor, and assailed the native rights of O'Brien and MacCarthy, their vassals, and the Ostman cities. The city of Cork now accepted a Norman garrison, but it was still MacCarthy's royal capital, as Limerick was O'Brien's, and both these strong places had a numerous and influential population, with Ostman bishops and clergy of their own.[1]

FitzStephen and Cogan now marched to put De Braose in possession of Limerick. But the Ostmen fired their own city before them, and the allies had to retreat before O'Brien should arrive. "No wonder the expedition failed," says the scornful Giraldus, "seeing the number of cut-throats, murderers and lewd fellows whom de Braose had raked together from South Wales."

FitzStephen and Cogan, however, began to carve out the kingdom of Cork. In the eastern half, the

[1] For the Ostmen clergy of Cork see *Reg. St. Thomas*, I., pp. 201, 209-210: grants to St. Thomas', Dublin, by FitzStephen and Richard de Cogan, etc., of lands in Cork—witnesses are Reginald, bishop, Reginald, archdeacon, Adam and Reginald, monks, Aggir, priest, etc. A charter of Dermot MacCarthy's shows that he was still regarded in the years 1175-1179 as King of Desmond and of the city of Cork. It is preserved in a Latin transcript of a lost Chartulary of Cong. In language very suggestive of the general ruin of his race Dermot "*divina favente clementia Rex Momonensium*, . . . having experience of the fleeting memory of mortals and the unstable pomp of a world passing away," confirms the grant of his father, Cormac, who built the Church of St. John at Cork for Archbishop Maurice and the pilgrims from Connacht, compatriots of St. Finnbarr. He proposes to maintain and defend the said church and free it from secular rent and affixes his seal. The Latin transcript [*Add. MS.*, No. 4793, fol. 63, *Brit. Mus.*] was made for Sir James Ware, see *Cork Arch. Soc. J.*, 1904, p. 145. Witnesses are Gregory of Cork, Christian of Lismore, Donat of Cashel, Bricius of Limerick, Gregory, abbot of Cong, etc., so date would be *circa* 1177. I see no reason to doubt its genuineness. It cannot be earlier than 1175 or later than 1179, as the dates of the bishops attesting will show.

former enfeoffed Alexander and Maurice, sons of Maurice FitzGerald, in Ui Maccailli in the south-east corner, the later barony of Imokilly. He granted to his nephew, Philip de Barry "Olethan," the cantred of Ui Liathain, later called the barony of Barry Mór, stretching from Fermoy south to Midleton, and the two cantreds of Muskerry-Donegan and Killede, the later baronies of Orrery and Kilmore, from Mallow to near Charleville with Glenquin in Limerick. In 1182 the dispossessed chief of Ui Liathain, Mac Tíre, rose in rebellion and slew Milo de Cogan near Lismore. FitzStephen died in 1183, leaving no surviving son, and his heir was Richard de Carew, a nephew or base son of Raymond le Gros, from whom came the Carews who held Fermoy and FitzStephen's half of the *Regnum Corcagiae* till 1300, when David Roche, their tenant, became direct tenant under the Crown and baron of Fermoy, while later in 1336 David de Barry, by release of Thomas de Carew, became Crown tenant in Olethan and Muskerry-Donegan.

De Cogan apparently left only a daughter, and the Courcys of Kinsale finally got most of his half of the *Regnum*, but a branch of his family called "the Great Cogan" held lands about Carrigaline till 1438.

Dermot MacCarthy retained his lands in Muskerry till his death. The ties of marriage united him with the invaders, for he took as his second wife Petronilla Bloet, whose brother Thomas got lands in Desmond, probably as a result of this marriage.[1] Nevertheless,

[1] Orpen, *Normans*, II., pp. 47-50, states that De Cogan had only a daughter, Margarita. Richard de Cogan, a brother of Milo, was sent over by the King after Milo's death, 1183. Fron this Richard, I imagine, came the great Cogans (Cógán Mór). See Dr. Caulfield, *Cork Arch. Soc. J.*, 1904, p. 187, for traditions of the Cogans. Thomas Bloet was probably the son of the Walter Bloet who came over with Raymond le Gros in 1170. For Dermot MacCarthy's marriage with Petronilla, see *Cat. Doc. Ir.*, vol. i., No. 766, 1216-17, mandate to the Justiciar to cause Petronilla, *wife of Dermot Magarthy, king of Cork*, to have her marriage-portion which Thomas, her brother, gave her. Thus the lady survived Dermot by at least thirty years, and it was probably a late marriage on his part. As another instance of the intermarriages in the higher ranks of both races note that Richard de Carew (mentioned above) married "Ragenild daughter of [? Dermot] MacCarthy," and their son, Robert, founded the Carew line: Orpen *Normans*, III., p. 128.

like most of his peers he was marked down for destruction, and the last true native king of Desmond was slain in 1185 by the English of Cork at Cuill Baguine and his son, Donal Mór *na Curra* inherited his claims.

The power of Donal Mór O'Brien in Thomond was too well-entrenched for the Braose grant to take effect, and Donal finally died in 1194, master of a kingdom embracing all Clare, Limerick, and Tipperary. and in possession of Limerick. He had ended the O'Brien-MacCarthy contest for Munster in favour of the Dál-Cais. His aim was a general expulsion of the O'Donovans of Ui Figeinte and the O'Coilens of O Conaill Gabhra from Limerick, and of the O'Sullivans, O'Donachus, and MacCarthys from the plains of Ormond. These were all of the sacred Eoghanacht blood. While the Norman attack shattered the old dynasties from the east, the O'Brien onslaught ruined them from the north. There were O'Donachus about Loch Léin to welcome their kindred, the great MacCarthy line had to entrench itself in West Cork; O'Donovan became a petty chief about Bandon; O'Coilen migrated into West Kerry. Thus were the rivals of the Dalcassians driven by Normans and O'Briens to the mountain and sea of further Munster.[1]

Like the Irish kings of his century, Donal's piety and taste for culture expended itself in the founding, or renewing, of churches, and an unusual number of abbeys later claimed him as founder or benefactor. In a charter given *apud Limeric* in 1189, he confirmed to the regular canons of St. Augustine at Forgy near Clare the lands "which I or others with my consent have given." Again at Limerick in his last year (1194) he endowed Brictius, the Ostman bishop of Limerick, with certain lands and elevated the little church of St. Munchin into a cathedral dedicated to St. Mary; apparently he conferred upon the bishop the land where

[1] Orpen, *Normans*, II., p. 160, gives the authorities. Ui Figeinte equals the diocese of Limerick and was composed of two parts, Ui Conaill Gabhra (the later Connelo) and Ui Cairbre.

the royal hall itself stood. He is credited with eight foundations in all, and his charter to Holy Cross, a daughter of the Cistercian house of *Magio*, or Monasteraneany, which Turloch O'Brien had founded *circa* 1150, is extant. Around the beautiful fabric which Donal had built for the fragment of the True Cross, sent by the Pope to Murchertach O'Brien early in the century, arose under Norman lords the noblest of Munster abbeys. That he could exercise the royal prerogative of land-grant so near to Cashel at this date proves that Donal was still effectively King of Thomond.[1]

The style of Donal in these charters—"*Ego Donaldus Magnus divini muneris largitate Rex Limericensis*"—displays O'Brien's conception of his own office. The Ard Rí was now a foreigner, but the province-kingdoms still endured, and there were Kings of Thomond and Cenel Eoghain and Desmond for three centuries yet.

The enfeoffment of Meath was the work of Hugh de Lacy, under whose vigorous hand was Normanised the modern Meath, Westmeath, and part of Longford. He kept to himself Drogheda, Kells, and Duleek, the baronies of Ratoath and Fore, and "the lake and vill of Dissert and one knight's fee about it"—a significant phrase, for the lake, fort and demesne-land of Dún-na-sciath on this lake, Loch Ennel or Aininne, were the particular seat of the O'Melachlins.[2]

There remained only to exterminate these unfortunate kings. In 1175 Maghnus O'Melachlin was hanged by the English, and in 1184 Art, king of Westmeath, was also despatched. Yet the race,

[1] The grant to Forgy is given by Westropp, *R. S. A. I.*, 1892, pp. 78-79. For St. Mary's, see Lenihan's *History of Limerick*, p. 30. For Holy Cross, see Dugdale, VI., Pt. II. The bishops of Lismore, Cashel, and Limerick attest these grants, and so do various local chiefs, such as "Ua Gradi," "MacConmara," "Ua Neill," "MacGormain," in the true style of the Irish land grant. The phrase "quas ei [abbati] donavi sive *cum voluntate mea alii* donaverunt" affirms once more the prerogative-right of the Irish over-king to confirm and so control the charter-grants of his chiefs.

[2] See Orpen, *Normans*, II., Ch. VX., for the subinfeudation of Meath.

though so reduced, kept possession of the barony of Clonlonan, O'Melachlin's country, from Loch Ennel south-west to the Shannon.

The ancient Gaelic territories became baronies and fiefs for Lacy's men Thus Robert de Lacy, a cousin of the Earl, was enfeoffed in Ferbile; Richard le Fleming in Slane; Jocelin *de Angulo* in Navan; De Hose in Deece; De Muset in Lune, and Hugh Tyrel in Castleknock, near Dublin. In further Meath William le Petit got Magheradernon and Mullingar; Nugent got Delvin; Robert de Lacy was enfeoffed in lands about Rathwire; De Constantin around Kilbixy, and De Tuit in lands about Granard. This last grant carried the Norman banner as far as it was destined to go: into Longford or Conmaicne, O'Ruairc's former conquest.

Thus were formed the "eighteen baronies of Meath," and such were the ancestors of the Barons of the Pale. The nearer Gaelic dynasties disappeared for ever, and the "kings of Delbhna, of Gailenga, of Luighni," and so on, whom we find attesting land-grants only a decade or two before, make way for Norman barons. In 1179 Imhar O'Cathasaigh, "king of Saithni," died, one of many disinherited. De Lacy might have made barons and knights of these heads of *mór-tuaths* and *tuaths*, and divided Meath between them and his Englishry. Instead, he deeply enfeoffed the Normans where he could, and on the borders left a few of the royal stocks in possession, but not at definite service and hereditary tenure. Thus most of Longford remained to O'Fearghail; and the country from Loch Ennel south to Nenagh, though claimed by De Lacy, remained with O'Carroll, O'Conor, MacGeoghagan, MacCochlain, O'Molloy, and other chiefly races. De Lacy advanced his line as far as Athlone, but the O'Melachlins and others commanding the Shannon from the South, and O'Fearghail and others commanding it from the north and the Erne, dominated the English advance. The Norman line towards

the vital point of the Shannon, the heart of Ireland, was but a spear-head, not a broad shield.

De Lacy was certainly no exterminator, and that the Irish were an inferior race did not occur to this cool opportunist. In 1180 he married, for he was a widower, Rose, daughter of the High King, Rury O'Conor. This alliance seemed to guarantee to Rury the Treaty of Windsor, and to De Lacy the affections of the Irish. But it roused the royal suspicion that De Lacy was aiming at the crown either of Meath or Ireland, a suspicion which overshadowed Strongbow before him and De Courcy after.

By Rose, the Earl had a son called William "gorm," or "the Blue," either because his hair was so dark as to be blue-black, or because of his blue-shaven chin. In either case it was a way of calling him a Frenchman, among the red-blond Gaels.

De Lacy's castles were numerous, though of rude construction. As lord of Meath he built fortresses at Trim, Ratoath, Killare, Clonard, and Kells. The two latter were erected on the site respectively of the ancient monasteries of Finnian and Columcille. The monasteries were centres of population, and natural sites for the castles which the conquerors did not hesitate to build from the stone precincts, or even from the ruins of the abbey-church, a practice which was to be fatal to De Lacy himself. In Leinster, as viceroy of Ireland, De Lacy built several fortresses, such as that of Leighlin over the Barrow, and as far as one man could do, he secured before his death the strategic defences of the fast-expanding colony.[1]

By natural policy, for his baronies and manors needed that man-power of tenants, free or bond, which English colonists were not available to supply, by conciliatory treatment, De Lacy drew into his earldom

[1] For De Lacy's castles and castle-building in general, see Orpen, *Normans*, II., Chap. XIV., p. 249, and *passim.*, and his *Motes* and *Norman Castles in Ireland*, *R. S. A. I.*, 1907. The age of the true castle did not come till 1220 or so; up to 1200 they are mote-fortresses.

great numbers of the native race. Giraldus expresses it thus: "he made it his first care to restore peace and order, reinstating the peasants who, after they had submitted to the conquerors, were violently expelled from their districts, in the deserted lands which from barren wastes now became cultivated and stocked with herds of cattle. Having thus restored confidence by his mild administration and firm adherence to treaties, his next care was to enforce submission and obedience to the laws on the inhabitants of corporate towns, thus gradually bringing them into subordination."

Here we get a picture of a new State, Norman-English in the upper and Irish in the lower strata, with the manors and old monastic towns re-stocked with an Irish tenantry, and with those docile earth-tillers whom Anglo-Irish officials were never weary of praising.[1]

It alarmed the English government. Giraldus says De Lacy's liberality and courtesy to the Irish people were such—combined with his Irish marriage—that a suspicion arose lest he should throw off all allegiance and get himself crowned King of Ireland.

So the native interest waned. A statement of Irish wrongs seems to have been prepared for the Lateran Council of 1179 by the seven Irish prelates who attended, but Henry saw that it came to nothing, and St. Laurence himself died at Eu in Normandy on his return, in November 1180, full of sorrow for his native land.[2]

He was succeeded by John Comyn, a monk of Evesham, formerly a Justice in Eyre, and a man of practical talents.

[1] "For the churl of Ireland is a very simple and toilsome man, desiring nothing but that he may not be eaten out with cess, coyne or livery." Tract by Sir Thomas Smith, quoted Wilson, *Beginnings of Modern Ireland*, p. 79.

[2] Giraldus, Book II., Chap. XXIII., says, "Laurence, a just and worthy man, incurred the King's displeasure by the privilege [of his See and Church] which he asserted at the Lateran Council, against the King's dignity and honour, led as was reported *by zeal for his nation*; for this cause he was long delayed in England and Normandy." He had brought to England from Ireland a son of Ruri O'Conor, hostage for the performance of the Treaty of Windsor.

The first of the new English State-prelates, Comyn converted St. Patrick's into a collegiate church, enriched the see of Dublin by annexing the rich lands of the abbey and bishopric of Glendaloch, and got into his hands, during a long reign, 1181-1213, numerous manors stretching from Swords south to Annamoe, in which his successors enjoyed great feudal immunities.

Meanwhile the North and West moved on its own orbit. Flahertach O'Maeldory of Tír Conaill, still had his rival, Rury O'Cannanain, on his hands. Several sons of Turloch Mór O'Conor—" rig-domnas " or " royal heirs "—were seeking fiefs for themselves in North Connacht, and joined O'Cannanain, but he and they were beaten at Magh Diubha in Sligo in 1182; five " sons of Turloch " fell, and the whole " derbfine " was practically wiped out.[1] Finally Flahertach slew Rury at the Bridge of Sligo in 1188.

The Conquest was now hanging fire. FitzStephen and Milo de Cogan were gone by 1183; Raymond le Gros, perhaps the greatest of the first conquerors, died some time between 1186 and 1188; and their successors were young and untried.

Prince John, who was now seventeen, was deemed fit to take on the government of Ireland. Philip of Worcester was sent ahead of him as Procurator, superseding De Lacy on September 1st, 1184. A crime against both the Church and native tradition earned De Worcester the reproach of Giraldus and the curses of the Irish race. Armagh was the sacred capital of the whole Gaelic race, full of churches, with one of its three divisions—the *Trian Saxan* or " Third of the Saxons "—recalling the fine hospitality of Ireland for the neighbour race in the past. The School of Armagh had become a general Irish university under such teachers as Flann O'Gormain and Martin

[1] The " *rig-domnas* " slain in this " battle of the royal heirs " were Brian of Luighni and Maghnus, sons of Turloch, and three sons of Aedh, another of Turloch's sons, viz., Maelsechnaill, Muirethach, and Murchertach.

O'Brolaigh, "arch-sage of the Gaels and chief lector of Armagh."

The Normans did not spare what long native wars had left unspoiled. In 1184 "the Foreigners pillaged thirty houses of the chief members of the community of Armagh." In the Spring of 1185, Philip of Worcester marched on Armagh, quartered his army there during six days of Lent, and only departed after the clergy had paid a large tribute.[1] Four years after, De Courcy also exhaustively plundered the city. These were blows from which this ancient and vigorous seat of native learning never recovered.

Melachlin MacLochlain, having invaded Meath in 1185, was slain in battle by a colonial levy under William Petit, and his brothers, Niall and Murchertach, ruled the Cenel Eoghain until 1196.

Despatched by his father, Prince John now landed at Waterford on the 25th of April, 1185, as *Dominus Hiberniae*.[2] He had with him three hundred knights and an army of horse and archers. With him came many who hoped to make easy fortunes in Ireland, such as Theobald Walter, Bertram de Verdun, and William de Burgo. John was a graceless boy, but

[1] For Flann and O'Brolaigh, who died 1188, see *Ann. Ult.* *Topographia Hib.* (*Distinctio*, II., Cap. L.) says that Philip, having invaded Armagh during the holy days of Lent and wrung a large tribute from the sacred clergy, was struck with sudden illness as he returned and barely escaped with his life. He records it as a case of divine punishment for sacrilege.

[2] Thus was finally decided the title of the English kings to Ireland for three centuries and a half. John's seal bore the style *Johannes filius Regis Anglie Dominus Hiberniae.* John of Salisbury in his *Metalogicus* (IV., 42), written *circa* 1159, records that there was then in the State Archives a golden ring adorned with an emerald, which Adrian IV. had sent by John of Salisbury, "by which investiture of the right to rule Ireland might be made." But this was never used so far as we know. Later in 1186 Henry II. had a scheme for crowning John King of Ireland and obtained from Urban III. the papal sanction and a crown of peacocks' feathers set in gold which two papal legates brought with them to Dover in December 1186. But Henry evidently thought better of the crowning of a separate King of Ireland in the full light of day by the envoys of the Papal suzerain and diverted the legates into Normandy.—(Hoveden, II., pp. 306-7.) So Ireland during the Middle Ages had neither King nor Crown, nor solemn recurrent anointing and election of a King.

Henry had sent with him Ranulf Glanville, Justiciar of England, who at least should have grasped the need for Ireland of central government, to check the greed of the colonists and conciliate the Irish. But the abundant sheepskins which John's clerks brought with them, which might have recorded the honourable submissions of Irish kings, were appropriated to the charters which swept their ancient rights away. The wide lands of Munster were thus thrown piecemeal to the Norman-French, a race "*semper aliena petens*," as one of their own chroniclers has said.

The march of John was by Waterford to Lismore, Ardfinan, Kildare, and so to Dublin. The contemptuous reception of the Irish kings when they came in to him at Waterford is well-known. The civilised vulgarity of the popinjay courtiers bitterly offended the grave and sensitive Irish lords, and not a single charter or written *entente* between the Lord of Ireland and a native prince is recorded.

Finally John returned to England on December 17th, 1185, leaving De Courcy as Justiciar. During his stay he had castles built at Lismore and Ardfinan.

According to the tradition of the Four Masters *sub* 1185, John complained to his father that Hugh de Lacy had prevented the Irish kings from sending either tribute or hostages. However it might be, his visit was no gain to the native race. Giraldus says: "Our own Irishmen, who from the first coming of Fitz-Stephen and the Earl had been faithful, now had their lands taken away and given to Norman courtiers." The opportunity clearly was seized as the older chiefs, such as Donal MacGillapatraic, who died in 1185, disappeared, to extinguish the rights of their heirs.

The net result of John's land-grants was as follows. In Leinster the barony of Naas was given to William, son of Maurice FitzGerald, and lands about Maynooth to his brother Gerald (who later succeeded William in Naas and, as husband of Eva, heiress of Robert de Bermingham, became first Baron of Offaly). The two

baronies of Dundalk with that port and the eastern half of the barony of Ferrard in Louth went to Bertram de Verdun, John's Seneschal. John himself kept the barony of Louth. Another newcomer, Roger Pipard, got the barony of Ardee and also the manor of Donaghmoyne in Oriel, where in 1193 he built a border castle. In these baronies were planted numerous under-vassals, Vernon, Clinton, Malpas, Hadesor, Repentini, and others. By this South-Ulster plantation Ulidia and Meath were connected and the land from the Boyne to the Newry river became English, while the old Irish kingdom of Oriel disappeared.[1]

Other grants in Ormond and Thomond advanced the English line in the south. Le Poer remained "*custos*" in East Waterford; John's new castles commanded the west of the county; and William de Burgo, brother of Hubert, the later Justiciar of England, got a half-cantred near Tibraghny and a grant in North Munster. Five cantreds in South Tipperary went to Philip de Worcester. Theobald Walter, John's "Botiller," a brother of Hubert, archbishop of Canterbury, and nephew by marriage of Ranulf Glanville, now founded the Butler race in Ireland. O'Brien's "burgh" of Killaloe, with five and a half cantreds of land along with it went to Theobald and his uncle, Ranulf Glanville. The grant covered all north Tipperary, but while Donal O'Brien lived, it really meant "whatever you can get and hold."

In the grants to Theobald FitzWalter and De Worcester the former rights of William de Braose were disregarded. Further, the manor of Arklow was given to Theobald Walter, and later Theobald got the manor of Gowran in Ossory, in fief from William Marshal, Strongbow's heir.

Nominally, then, the line of the colony now stretched from Brandon to Lismore and north to the

[1] Murchad O'Cervall, last king of ancient Oriel, died at Mellifont in 1189, where also in 1193 Dervorgilla, wife of Tigernan O'Ruairc, ended her days.

Slieve Bloom, then from Loch Derg and the Shannon to the Boyne, and north again to Loch Neagh and the Bann.

Hugh de Lacy was now engaged in building a castle at Durrow in west Meath. Here was a Columban monastery, one of the most venerated of the Gaelic abbeys. To the secular-minded Norman, oblivious of Irish culture, it seemed a little thing to raise out of the stones of these sacred places, fortresses for the subjection of the native race. To the latter it was at once a sacrilege and a symbol of their defeat. Two neighbouring chieftains, O'Cethernaigh of Teffia and the dispossessed O'Braoin of Luighni, found an enthusiast ready to avenge this outrage on the body and spirit of his race. So, one day in July 1186, as De Lacy stooped to view the work, one Gilla-gan-inathar O'Midhaigh, who stood by, lifted an axe, smote off Lacy's head, and sped safe away.[1]

It was the first assassination of the Conquest time and marked the growing estrangement of the two races.

The Earl left by his first wife, Rohesia of Monmouth two sons, Walter and Hugh, both minors. Finally in 1194 Meath was regranted to Walter.

Conor Maenmoy, son of the High King, was now the hero of the Síl Muredaigh. In 1187 he destroyed Lacy's castle at Killare. De Courcy was now Justiciar and guardian of young Walter's rights in Meath. Taking up Conor's challenge, he invaded Connacht, guided by one Conor O'Diarmata, probably a base son of Rury's brother, Murchertach. But in North Connacht, Courcy found himself faced by Conor Maenmoy and Donal O'Brien, acting in concert. Retreating, he found O'Maeldory in arms defending his frontier at Drumcliff and turning back into the Curlew Mountains and being assailed by the Irish allies, he

[1] *Ann. Ult.*, 1186. "Ugo de L., destroyer and dissolver of the sanctuaries of Ireland, was killed by Ua Miadhaigh of Breghmuna by direction of the Sinnach Ua Catharnaigh in reparation to Colmcille while building a castle in his church in Durmagh in the 640th year since the church of Durmagh was founded."

was driven out of Connacht "without one whit of triumph."

Conor Maenmoy had shown both patriotism and energy. But in 1189 he was slain at the instigation of the traitor O'Diarmata, who was at once despatched by Maenmoy's son, Cathal Carrach. This latter and Cathal Crovderg, or "Red Hand," brother of Rury, an adult and vigorous man, became rivals for the throne of Connacht.

Rury himself ended his life in pious obscurity and died in his own abbey of Cong in 1199. So perished the last Ard Rí of Gaelic Ireland, to whose feebleness in arms and diplomacy was mainly due the ruin of his country. High King till 1171, the Treaty of Windsor had left him king of Connacht and overlord of half of Ireland, but it was indeed a question how far the treaty still endured.

De Courcy now had foremost rank among the colonists. William Marshal, who married in 1189 the royal ward, Isabel, daughter of Strongbow and Eva MacMurchada, and so became Earl of Leinster and Pembroke, did not begin his active career in Ireland till 1206. But a new generation of conquerors arose. Some time while Richard was King of England, for the actual date is unknown, John, as Lord of Ireland, enfeoffed William de Burgo in all or part of Connacht.[1] In 1197 he also enfeoffed Hamo de Valognes in the two cantreds of "Hochenil," that is, Ui Conaill Gabhra, later called Connello. Hamo built a fortress at Askeaton, and the former lord was removed in the usual way—"in 1199 Coilen O'Coilen, chief of Ui Conaill Gabhra, was slain by the race of Maurice FitzGerald."[2]

[1] It may seem unnecessary to recall that William de Burgo was no connection to William FitzAudelin (or FitzAdelm), see Orpen, II., p. 195, yet Irish historians go on repeating the error.

[2] O'Clery's *Book of Pedigrees*, see *J. R. S. A. I.*, 1880, p. 225, quoted by Orpen, *Normans*, II., p. 160. The race of Maurice were interested in the settlement of Limerick, and Hamo de Valognes, who got Connello (O'Coilen's country) granted Shanid to Thomas, son of Maurice, and Croom to Thomas' brother, Gerald, who married the daughter of Hamo.

The death of Donal Mór O'Brien early in 1194 and the retirement of Rury O'Conor made these grants possible. Towards his end, Donal had taken into friendship the adventurous William de Burgo and gave him his daughter in marriage. William's sons and heirs, Richard and Walter, thus had the blood of Brian Borumha in their veins.

As Donal's son-in-law and ally, De Burgo got a footing in lands which O'Brien had till now stubbornly defended. At Kilfeacle, between Tipperary and Cashel; at Carrigogunnell in his manor of Aescluan; at Briginis and other places, William built the castles which henceforth confined the O'Briens to their lands west of Shannon.

Donal was buried in the cathedral of Limerick, his ancient capital. But the Ostman city passed to the conquerors, though with a liberal charter, "the liberties of Dublin," from John in 1197.

Three sons of Donal, namely, Conor Rua, Murchertach Finn, and Donnchad, claimed their father's throne, but finally the ablest of them, Donnchad, called "Cairbrech," ruled Thomond till his death in 1242.

De Courcy was no longer Justiciar, for he was deprived of office in 1192. But he was commissioned to make peace with Cathal Crovderg, in spite of the grant to De Burgo. A rude fort commanded the Shannon at Athlone and here in 1195 De Courcy recognised Crovderg as King of Connacht. To show his satisfaction, Cathal enfeoffed a Norman of Meath, Gilbert *de Angulo*, son of Jocelyn, who was in his service, in the cantred of Maenmagh in Hy-Many. Called "mac Goisdelbh"—"son of Gausselin" or "Jocelin"—by the Irish, this Norman condottier, first of those who became *ipsis hibernis hiberniores*, founded in Connacht the race of the Costelloes.

But Cathal could not get all Connacht while De Burgo and Cathal Carrach lived, and at last in 1200 De Burgo, taking up the latter's cause, brought in an army from Munster and drove Crovderg into exile in Ulster.

De Courcy, though near his tragic fall, was still advancing in Ulidia. In 1188 his new fort at Moy Cova, north of Newry, gave him the command of the passes of the North, and the castle that he built at Kinsantail, near Coleraine, threatened Inishowen. Part of the coast here he granted to Duncan, son of Gilbert, Lord of Galloway.[1]

A great leader now arose among the Cenel Eoghain. Murchertach MacLochlain was killed by his own vassals in 1196, and Aedh O'Neill became king of Tír Eoghain till his death in 1230. Flahertach of Tír Conaill died in February 1197, and an O'Hegnigh ruled Fermanach and the Cenel Conaill for a time. Cathal Crovderg enlisted these new kings, and the three invaded Connacht in 1200, but were cut off at Esdara (Ballysodare) by De Burgo's forces and O'Hegnigh slain. Thereupon Conor Beg MacLochlain claimed the kingship of Cenel Eoghain, but Egnechan O'Donnell saved Aedh O'Neill his throne by sailing with a large force to Gaeth-an-Chairrgin, near Portrush, where in battle MacLochlain was slain (1201).

Egnechan, who ruled Tír Conaill till 1208, established the primacy of the O'Donnells. Bound in a common alliance, the O'Neills and O'Donnells swept every rival out of their path, and thus the two great families of the North rose together amid the wreckage of the Norman Conquest, to fall together four centuries later at Kinsale. The MacLochlains still survived, but in 1241 at Cameirgi Brian O'Neill slew Donal and ten of the MacLochlain "derbfine" and practically extinguished the race.

De Courcy and Hugh de Lacy now took up Cathal

[1] For this family see *Scots Peerage*, Sir James Balfour Paul. Fergus, Lord of Galloway, had two sons, Uchtred and Gilbert, and a daughter, Affreca, who married Olaf the Red, king of Man. The grand-daughter of Affreca and Olaf married De Courcy. Duncan, the son of Gilbert, De Courcy's kinsman by marriage, was made Earl of Carrick in Galloway by William, King of Scots. Roland, son of Uchtred, Lord of Galloway, had two sons, Thomas, later Earl of Atholl, called "MacUchtred" by the Irish, and Alan FitzRoland, Lord of Galloway.

Crovderg's cause, and in 1201 penetrated as far as Kilmacduagh, but there Cathal Carrach completely shattered their array and drove them over Loch Ree.

Thus, in the struggle for Lordship and land, with De Burgo supporting one O'Conor and De Courcy supporting another, was the distinction of Norman and Gael vanishing. Policy was taking the place of a race-war and weakening the Norman purpose of a final Conquest.

Taken to Dublin by De Courcy and De Lacy, who accused him of treachery and blamed him for their defeat, Crovderg cleared himself, swore obedience, and was recognised as King of Connacht. De Burgo himself had to recognise the choice of Dublin, and abandoned Cathal Carrach, who fell in a skirmish at Boyle early in 1202, and Cathal Crovderg was inaugurated King of Connacht with all the ancient rites at Carn Fraich.[1]

William de Burgo himself still aimed at the Lordship of Connacht, but was recalled and died in the winter of 1205-6. He is called "Concur," "the Conqueror," in Irish tradition.

[1] *Inauguration of Cathal Crovderg*: tract by Donnchad O'Maelconaire, ed. O'Daly and O'Donovan, *Kilkenny Arch. Soc.*, 852-3.

CHAPTER V.

John, the Founder of Anglo-Ireland (1199-1216).

John "*Dominus Hiberniæ*" was crowned King of England on June 2, 1199. Had Richard left a son, John might have founded a separate line to the advantage of Ireland, but now the two crowns were inseparably united.

The modern Muse of History has rejected the John of legend and made him an able King, determined to maintain the royal centralism built up by his father against the barons who wished that the King should never be more than "primus inter pares." John was a bad man defending a good cause, and too capriciously cruel to be a statesman, yet the fabric of royal power, which he defended like a precious heritage, survived his fall. English Kings have more than once made political experiments here, which they dared not, or could not, make in England. So the early Tudors gagged the Irish Parliament, and declared their monarchy to be divine. So now John dealt with the baronage of Ireland as he dare not deal with those of England, and as the founder here of a central government, and as the repressor of an overgrown feudalism, must be counted one of the best of the foreign Kings.

From July, 1199, to the year 1208, Meiler FitzHenry ruled as Justiciar.

During these years the expansion of the colony was towards the south-west, where John soon established a newer baronage to counter balance the older earldoms of Meath and Leinster. Here, his most sweeping grant was that of the Honor or Kingdom of Limerick, which, about 1200, he renewed to William de Braose, nephew of the Philip of 1177. William was to pay the huge sum

of five thousand marks for his charter, and render service of sixty knights ; while John kept in his hands the city of Limerick with its " cantred of the Ostmen there," and the gift of all bishoprics and abbeys.[1] He reserved also to William de Burgo his Limerick lands, and granted to him in 1202 the *tuath* of Castleconnell, where De Burgo built a castle above the Shannon.

William de Braose thus became overlord in Ormond of Theobold Walter and Philip de Worcester.

Hamo de Valognes retained his land of Connelo, and licence was given to him to plant his lands, one of the few glimpses we get of deliberate English colonization at this time.[2]

To Meiler FitzHenry, John granted the Irish cantreds of *Aicme Ciarraighe* and *Ui Ferba*, about Tralee, and *Eoghanacht Loch Léin*, about Killarney, the latter " as fully as Humuriardac held it." Whether this O'Moriarty was removed or had died, we are not told, but it illustrates the process of open confiscation.

In the partition of Munster, the Geraldines shared richly. Gerald, Baron of Offaly, who died in 1203, already had Imokilly in Cork and Croom in Limerick. His brother Thomas, founder of the line of Desmond Earls, had Shanid in Limerick, and early in John's reign got fresh lands around Fermoy, and near Knock Any in east County Limerick. [3]

In 1207 a whole series of grants from the King, who had resumed the Kingdom of Cork, enriched the Barrys

[1] The difficulty of securing these grants against the very natural opposition of the Irish is seen in entry No. 146, C.D.I.1 (Jan. 1200). The King will cause the Honor of Limerick to be delivered to William de Braose, by all men *save the Irish and those who are with them*, i.e., John could not speak for the natives in their own parishes.

[2] Letters patent of simple protection for Hamo de Valognes with licence to lead his men to colonise his land, saving the demesne lands of the King and the *Assize of the Barons of Ireland touching their Villeins* [i.e. he must not try to draw away other peoples' villeins] *C.D.I.* 1. No. 120, May, 1200.

[3] *C.D.I.* I., No. 93 " five knights fees in the *theodum* of Eleury, and the cantred of Fontemel, and five in the *theodum* of Huamerith in Thomond, and a burgage in Limerick." Fontemel, according to Orpen II, 164, was an area including Shanid. Huamerith, I suggest, is the Irish Ui Aimrit, which Hogan *On.* locates around Cnoc Aine, east of Bruff.

and Roches of Cork, and those who had followed their banner. William, son of Philip de Barry, got his three cantreds renewed; David Roche got the cantred of Rosscarbery, and Philip Prendergast got the huge grant of forty knight's fees, stretching from Cork to Innishannon. The family of Roche (*de Rupe*) was already enfeoffed about Fermoy, and that of Cantitune got land about Glanworth, near Fermoy, and in time gave their name to "Condon's Country" or barony. Other familiar names arose in portions of the old *Regnum Corcagiae*, such as the Barrets, lords of Clochphilip and Clochroe, who finally gave their name to a barony about Blarney.

The "Kingdom of Limerick" was similarly partitioned. The grant to de Braose; the "two cantreds of Hochenil in the land of Limerick," confirmed to Hamo de Valognes in 1199; the grant of Castleconnel with its *tuath* to William de Burgo; and the enfeoffment of Theobald Walter and De Worcester, gave a Norman veneer to all the land from Sliabh Luachra in North Kerry to the borders of Ossory. The royal MacCarthys, having lost Cashel, had to found a fresh kingdom in further Desmond,

For the time, there was no general war of Irish and Norman. The MacCarthys believed that King Dermot's concordat with FitzStephen in 1177, and the treaty with Henry II. still held good, Donal Mór, son of Dermot, was King of Desmond till 1206; then his brother Finghin till 1209, then Donal's son, Dermot, "of Dundrinan," ruled till 1230. The intermarriages, which were more common in Munster than elsewhere, and the greater civilization and charm of its people, already softened the relations of the two races. Dermot of Dundrinan was married to an Englishwoman, Petronilla Bloet, and Richard de Carew took to wife, Ragenild, daughter of the King Dermot who died in 1185.

It was the policy of the earlier conquerers to acknowledge the chief Irish princes, if not as kings of

the whole province, yet as heads of the Irish who had not been dragged into the feudal net, and as responsible for them at law. In this sense MacCarthy or O'Neill was admitted to be King of the Irish of Desmond or Ulster (dux hibernicorum Desmoniae, etc.) The O'Briens were regarded as equals and allies of the Normans, and William de Burgo was brother-in law to the three sons of Donal O'Brien, Conor, Murchertach and Donnchad.

The policy of John was to remove the early conquerors, men of true feudal type, and promote men familiar with the new Monarchy. Hence his veto on De Burgo's designs upon Connacht, and the overthrow of De Courcy.

De Courcy's northern kingdom, of whose patent from an English prince no trace could be found, was of the sort to alarm an overlord so jealous of overmighty subjects. Yet no proof exists of De Courcy's intention to shake off the English yoke. His land grants are made "*vice Regis Anglie.*" In reality his fall was due to John's inherent suspicion of "dangerous men," to De Courcy's generous outburst against the King for the murder of Prince Arthur, and to the intrigues of Hugh de Lacy, anxious to be an Earl.

Sure of royal approval, the Lacys picked a border quarrel, and when de Courcy refused to go to the King's court in 1202, though summoned, Hugh marched into Ulster and defeated him at Down. De Courcy gave hostages, but still would not trust himself to the mercies of King John, and finally, on the last day of August, 1204, the Justiciar was ordered to summon him for the last time, or confiscate his lands. As the Prince of Ulidia still held out, King John created Hugh de Lacy Earl of Ulster on May 29, 1205, to hold as De Courcy held, at service of one knight for each cantred, saving to the Crown the investiture of bishops and abbots.

De Courcy now made one last throw, collected ships and men from Man, where Ragnall, his brother-in-law, was King, and besieged Rath Castle, but suffered a final

defeat beneath its walls at the hands of Walter de Lacy.[1]

Imprisoned for a time, pardoned and despised, De Courcy thus disappears from Irish history, and in England is heard of no more after 1219. His kinsmen and allies in Tír Eoghain, Man and the Isles, and his own barons—all failed to save him. In the great age of the Normans, Strongbow, De Lacy, De Courcy would have made themselves kings. But now the age for a Guiscard had gone by, and the new Monarchy, strong in law, prestige and resources, was able to cut away the ground from under the greatest of the lords.

It was now fully time to create a true Anglo-Irish capital, and build up the machinery of government. Henry II. had done little but appoint officials; John built the actual fabric of legal monarchy.

In 1204 he ordered a strong castle to be built in Dublin, suitable for the government and the defence of the city. This work was completed by 1215, and a living administration began to pulsate from these walls. To John was due the introduction of the "Customs of England"—some of which were old common rights, some feudal practices, some the principles of a central law affirmed by Henry II. Known henceforth as "the Customs of Ireland," they became the precious heritage of common freemen in the Anglo-Irish realm.[2]

Along with the judicial John introduced the legislative machinery of England. No real system of common law

[1] Orpen, *R.S.A.I.*, 1909, pp. 23-29, identifies Rath with Dundrum in South Down.

For the patent see *Gormanstown Reg.* p. 189. King John grants *totam terram Ultonie*. It is nor clear whether Ultonia was meant to cover all modern Ulster. Unlimited expansion is implied in "a knight from every cantred." The *Loch Cé Annals sub.*, 1235, describe Hugo as "Iarla Ulaidh," i.e., Earl of Ulidia, not of the whole province. The *Laud Annals* (*Chart, St. Mary's*) *sub.*, 1204, describe De Courcys' fall, and say he was sentenced to perpetual imprisonment '*quia fuit rebelles Johanni Regi et noluit facere homagium et vituperavit eum de morte Arthuri legii heredis.*" Possibly, soon after his accession, John had demanded homage from the Prince of Ulidia who alone of the Normans of Ireland held no patent from the Crown.

[2] There are allusions in the records of Henry III.'s reign (1228 and 1233) to the laws and customs of the realm of England which the Lord King John, our father, *with the common consent of all men of Ireland*, ordained to be kept in that land.

or central or local administration yet existed in the new colony. We catch glimpses of some such development late in Henry's reign, and under Richard, but it was left to Henry's youngest son to introduce all those new assizes and all that body of state-law which struck at the very root of feudal exemptions.

The feature of these legal innovations—part of the general defeudalising of Government in Europe, and the revival of Roman ideas of the State—was that cases involving land titles and criminal jurisdiction over freemen, were withdrawn from the baronial to the royal courts. After many protests from those who lost jurisdiction and fees, the work of Henry II. triumphed, and after Edward I. the state courts of England were open to all freemen.

This was to be true only of a limited area of Ireland, but John at least began the attempt which proved fair for a century and more, to succeed here also.

Quarrels over land—and they were naturally many, during the Conquest—had been so far decided in the lords' courts by wager of battle. Yet the assises of *Mort d'Ancestre* and *Novel disseisin* had been appealed for; the advent of John made them *de cursu*. By letters patent 1204, John established the system of royal writs, and threw open to the colonists the whole of English law as it then stood. "Know that we have given power to our Justiciar of Ireland that his writs run through all our land in Ireland, viz., the Writ of Right and of *Mort d'Ancestre*, and the term for *Mort d'Ancestre* shall be after the return of Henry our father from Ireland to England; also the Writ of *Novel Disseisin*, the term of which shall be after our first coronation at Canterbury; also the writs of fugitives and villeins, the term of which shall be after the taking of Dublin." By an edict of the same year John extended to Ireland the jury system in criminal procedure, established by the Assize of Clarendon.[1] In 1207 he forbade any subject to answer

[1] *C.D.I.* No. 236. Nov., 1204 and Betham *Feudal Dignities*, etc., p. 229. The point of Villeins was a vital one for the landed class. In

in any court for their free holidngs, or on any plea of the Crown, save before the King, his Justiciar, or their Justices.

John's insistence upon his prerogative is seen al through the reign. When he granted the custody o Ireland to Meiler FitzHenry in 1200, and confirmed him as Justiciar, he reserved to himself all Irish pleas touching the crown, the mint and the exchange.[1] In 1207 he established an Irish currency, the first national coinage of Ireland, which bore the rude symbol of a harp.

It was not till his coming in 1210 that John may be said to have established a legislative body for the colony. So far, the Justiciars, men of little administrative zeal, had summoned the tenants-in-chief of Ireland for such indifferent and infrequent work as was necessary. It seemed generally accepted that the *Magnum concilium* of England could legislate also for Ireland.[2]

John's treatment of the native race had a certain statemanship. That he could stay the course of Norman conquest, or revoke land grants, was hardly to be expected. John realized, however, the value of the Irish and the Ostmen as valuable counterfoils to the Normans. It was hard to check these chartered robbers who had eaten up so much land, and hungered for more. Many of the nearer chiefs had lost their richest lands to the new-comers, or dispossessed, hoped for restoration, or, abandoning the old kingships, thought of saving only their "royal land."

To some of the lesser chiefs John showed a clemency

England this form of property of men was safeguarded in statutes such as the Constitutions of Clarendon. English legislation about villeins was fully extended to Ireland, e.g., the writ *de nativo habendo*, by which a lord could recover a runaway see *C.D.I.*, I. p.309.

[1] *C.D.I.* I. No. 133.

[2] The King . . . to Meiler the Justiciar . . . by will and council of the Earl Marshal, Walter de Lacy and other lieges of Ireland who were with us in England, and by council of our *fideles* of England, we order that the robbers of Ireland shall be expelled thence, and treated *according to the law of England*. *Lib-Mun.* I. pt. IV. p. 23 (6th of John) These robbers, all feudal enemies of John, were, I think, those named in *C.D.I.*, I. No. 238 (1206-7). For John's governmental measures in 1210 see later.

which they could not look for from their invaders. In Waterford, which was royal demesne, he granted to O'Bric, chieftain of the southern Déisi, certain lands, making up four knight's fees, to be held of the King in chief by service of one knight. Next year, 1204, he made an agreement with Donal O'Faelain, chief of the two Déisi, by which O'Faelain quit-claimed to the King the "province of Dungarvan" which was one of the three cantreds which this chief ruled. The other two were to be his own, one for life, one as his inheritance (*"hereditarie."*).[1]

Another such transaction concerned the family of that Donal Macgillacolmoc who was Dermot MacMurchada's son-in-law. In 1207 John granted to Donal's son, Dermot, all the land which his father, "Gilleholmoc" held, viz., Lymerhim (Liamhain, now Newcastle Lyons), with fifteen carucates of land and a burgage in Dublin, to hold in fee by service of one knight and two otter skins per annum, saving to the King the cantred "in the land of Lymerhim," which the King gave to the said Dermot and his brother Roderic, when he was Count of Mortain. Later the needs of the Dublin government lost them Liamhain, for in 1215 compensation was ordered to be made to "John Dermot, nephew of Gilleholmoc," for the "land of Limerun," taken for the improvement of the King's manor of Newcastle." But this ancient family, which henceforth changed its name to FitzDermot, retained much of its wide domains, and held till 1400 the barony of Rathdown in North Wicklow.[2]

[1] Orpen, II. p. 327 notes the O'Faelain grant, but not the O'Bric grant. The latter (*C.D.I.*, I. No. 190, Nov., 1203) grants to 'Heverbricht' Dunmor with the church of St. Eoth, Culech, Fornach, Ardriadan Heverbricht is clearly O'Bric. Butler, *History of Gualtier*, p. 31-33, puts the places named in *Gall-tir*, i.e., the Ostman cantred on the South-west of the city of Waterford. By 1170 O'Faelain of N. Decies had added S. Decies (O'Bric's country) to his own and was the dominant chief. A writ of 1252 shows six chiefs including O'Bric, holding land under the crown in the Deisi: see later p. 137.

[2] *C.D.I.*, I. No. 356, Nov. 1207. See former page 56 on the history of this family whose names and grants are scattered through the *Reg. St. Thomas, Chart St. Mary's, C.D.I.*, I., Gilbert *History of Dublin*, etc. Gilbert says, *ibid*, p. 233; in 1408, John FitzDermot was charged with two otter skins for his manor of Radon (Rathdown), and 167 in arrears.

Hard as were the bargains driven by the Crown, it is clear that the nearer chiefs, harassed by the greedy colonists, were glad to surrender their ancient claims for a secure, if smaller lordship, gauranteed by either the King or the greater magnates.

The Irish Kings were in a different position. The treaties made with them by Henry II. had not been abrogated. While the colonial lords were John's "fideles," the "kings of Connacht, of Limerick, of Cork, of Ulster," were acknowledged as such by King and Pope, and their rulers were vassals rather than subjects of the English Crown.[1] Though no formal record exists admitting the "Five Bloods" to the benefits of English law, it seems clear that they were regarded, from Henry's time, as law-worthy and entitled to plead in the "King's Courts," before the King's viceroy himself.

The greatest of the Irish Kings, in English eyes, was Cathal Crovderg, brother of the last Ard Ri. In August, 1204, Cathal entered into direct parleys with the Dublin government, and after long delay, in December 1205, the King informed the Justiciar Meiler, that the King of Connacht had offered to hold a third of his kingdom as a barony, at rent of a hundred marks per annum, and to pay for the rest a tribute of three hundred marks. The King gives mandate to the Justiciar to carry out this arrangement, if it is to the King's advantage.[2] No immediate treaty was signed, but John

he was the last of the name. "John, son of Dermot, son of Gillacholmog" was one of the Irish magnates summoned in 1227 to render service in Wales. By the marriage of Clarice, daughter of Gilbert FitzGriffin, whose father was brother of Raymond le Gros, with John, son of Dermot MacGillacolmoc, the latter family allied itself with a branch of the Geraldines who were barons of Knocktopher, Co. Kilkenny.

[1] For 'Mariadac, King of Limerick' [Murchertach O'Brien] see *C.D.I.*, I., No. 404, 1210, when he was with John. In 1220 Pope Honorius III. sent the Legate James to Ireland (and Scotland)—the brief of appointment being superscribed: *Regibus Ultonie, Corcaie, Limrith, Conatie, Insularum, cuilibet per se*, Theiner, *Vet. Mon.*, pp. 15-16.

[2] *C.D.I.*, I., Nos. 224 and 279. Notice the interest of the Crown, and indeed of the Irish kings in the villein and man-power question. In August 1204 John ordered the Justiciar, "see that the King of Connacht make villeins aud fugitives from the King's [John's.] two-

continued friendly to Cathal, and finally in 1215 confirmed to him the whole land of Connacht.

Between the three O'Brien brothers, John did not decide, but "Mariadac, (Murchertach) is styled "King of Limerick" in the royal records of John's visit to Ireland in 1210, when this O'Brien accompanied the King on his march.

On the question of making both races equal in law, and securing to all alike the "laws of England," John encountered a selfish interest, which was already a vested one. The Norman settlers, to whom land was useless without servile labour, and whose English followers claimed to be all freeholders, had for thirty years been enslaving the Irish who remained, or reducing to a general *betaghry* the various kinds of "*daer*" or bond tenures which had existed before them. So completely did they do this that the word "*hibernicus*" came to be synonymous with *villanus, nativus, betagius.*[3] For villeins, neither in England or Ireland, dare the royal courts intercede, and till the fifteenth century property of the lord in his land-serf was a purely private right.

During thirty years, great numbers also of the superior tenants of the Irish order had been violently expelled, and their lands confiscated. If the full benefits of Henry II.'s assises were accorded to the native race, the courts would have to reinstate the former occupants by process of *Novel Disseisin* and *Mort d'ancestre*. But this would undo the conquest and alienate that colonial interest which aimed at reducing all Ireland.

Therefore, all that could be done was, by legitimising

thirds to return with their chattels and retinue. Cathal is to strengthen castles, found towns, and assess rents in these parts and if necessary take the issues of the land and the King's rents for this purpose." In Dec. 1205 Cathal offers the King out of the two-thirds of Connacht which he wishes to keep on payment of tribute —two cantreds at farm *with their villeins*.

[3] See *Just. Rolls* I., p. 342 at the Pleas of Plaints, Kilmallock, before the Justiciar Wogan: Walter de Capella (O'Fyn), who had been blinded by a colonist for insulting the latter's wife, proves that though he is *hibernicus* by race, he is not *hibernicus* (unfree) and so recovers heavy damages against his assailant, who pleaded that Walter as *hibernicus* had no right at law. See also Chap. VI. here.

the conquest so far, to secure the native holders in their right for the future. We have seen that according to John's Writ in 1204, Henry II.'s assises of *Mort d'ancestre* and *Breve de Recto* were not to operate for pleas from before 1172, when vast confiscations were made, and the operation of *Novel disseisin* was limited to John's own reign. The edict of 1204-5, which applied a limitation to criminal indictments, declared that no one might be impleaded for the chattels or even the life of an Irishman until after Michaelmas of that year.[1]

This limitation implied that after 1205 Irishmen might prosecute for injury to life, limb and property, like Englishmen.

Of the other enactments, the force was that claims to landed property on the part of Irishmen must be based on ownership or tenure or ancestral possession, existing since the English invasion. No claim based on the times prior to that could hold, unless the English Crown ratified it. For the new *Dominus Hiberniæ* was in Ireland as in England *Dominus Terræ*, from whom all title to land flowed. Merely Irish title did not suffice, hence we find King John confirming Cathal Crovderg's grant of Maenmagh to Gilbert de Angulo in 1207.

A general Act of Oblivion was thus passed over Norman violence and fraud in the past. The question was—would the Crown or could the Crown protect the Irish from present and future aggression? The intentions of John at least were good, and the estrangement of the races was not yet inevitable. But what was needed was a general admission of English law and liberty to the whole Irish race, or at least in the Earldoms and Lordships, by royal edict.

The Crown displayed an intention to take under its protection the Irish in the English colony. It did so more pronouncedly in the case of that Ostman race, which being Teutonic might blend more easily with the English settlers, and was of enormous value to them as townsmen, marines, pilots, and interpreters of native

[1] See Betham, p. 229.

custom and speech. We have seen how the Crown from Henry II.'s arrival had taken into its hand the Ostman cities of Dublin, Waterford, Cork, Limerick, and cantred of the Ostmen around each of them. Henry gave to the burgesses of Waterford at their surrender, a special protection as his liege men. A branch of the old royal race there, continued for over a century to claim, as Ostmen petitioners expressed it, "English law as Henry FitzEmpress promised it." [1] Descendants of the Ostman lords of Limerick enjoyed a special liberty of the Ostmen which protected them from feudal exploitation, and from the jealousy of the new English burgesses. In a law-suit of 1295, one William the Dyer of Ardfinan in Tipperary, whom some colonists had tried to reduce to Irish servitude, established his case that his father was an Ostman of the family of MacMackus of Limerick, of free condition, and that his ancestors and himself had always received writs, and answered to them according to the liberty of the Ostmen of Limerick.[2] A similar liberty existed at

[1] For Henry's charter to the Ostmen of Waterford see A. Bugge "*Nordisk Sprog . . . i Irland*" in *Aarbogr for Nordisk Oldkyndighed*, 1900, p. 320. The charter runs : *Henricus rex . . . . sciatis quod Hostmanni de Waterford homines mei ligei sunt.* See *Nat. Facs. III., Plate VII.* for *Rights of the Ostmen of Waterford*, as follows : Pleas Waterford before the Justiciar Wogan, 4 Ed. II. (1310-1311) Robert le Waleys had killed John, son of Yvor MacGillemory, and admitted the fact, but pleaded it was no felony, because John *was a pure Irishman* (*merus hibernicus*) *and not of free blood, and offered the demand of the lord whose Irishman John was at the time of his death to pay for him as Justice required.* For the Crown John le Poer replied that deceased was entitled to the law of the English in Ireland (*lex Anglicorum in Hibernia*), and alleged in support of this, a charter of Henry II. and a confirmation by Edward I. The latter only was produced, it confirmed a grant originally made to Gillecrist, William and John MacGillemory, who had been faithful to King Henry, of whose family John, son of Yvor, was. Finally the accused was sent back to prison and then released on bail. Davies, *Discovery of True Reasons* (ed. H. Morley, p. 263) says Edward I. at Acton Burnell in eleventh year of his reign confirmed Henry's charter.

[2] *Just Rolls*, I. p. 59. Assize of Novel Disseisin at Clonmel, 1295. Three Englishmen have disseised William of a tenement in Ardfinan, and say they are not bound to answer him because he is *hibernicus et servilis conditionis*, i.e., an O'Moleyn. He answers he is not Irish, but *Hostmannus*, viz. MacMackus and free. The jury find William's father was held for *hibernicus*, so after his death William's mother went to Limerick and got the liberty of the Ostmen for her son. William therefore recovers seisin, and the defendants are put in mercy. The case

Waterford, and most probably in Cork and Dublin also. For a century and more, the city Ostmen are found holding office and serving on juries in Dublin, Limerick and other towns. Thus two of the leading citizens of Limerick in 1300 are called Ulf and Osmound (i.e., the Ostman).[1] Even the landed dynasties of this race survived. The place-name Ballykilmurry in South Decies still marks the old demense of the Macgillamaire Earls of Waterford. A descendant of the Sitric who defended the city against the Normans in 1170, held land in the county till 1230 or so.[2]

We shall have more to say of the Ostmen in dealing with the history of the Anglo-Irish towns. For the present they survived in considerable numbers and under the royal shield escaped the rapacity of the conquerors.

John's centralising measures met with some organised resistance from the Irish Church. This had become in part a State Church. The prelates abandoned, or had to abandon, their ancient Celtic seats, and move to the greater towns where the new State would have them under its eye, while petty Celtic sees were absorbed in larger ones; thus Glendaloch was united with Dublin, and Roscré with Killaloe. The bishops and abbots loaded with regalities, and baronies, became feudal lords, a conception unknown to the Gaels.

The new abbeys and those existing ones which were on occupied lands were intended to be of the English interest, and attempts were made to confine them to Englishmen.

illustrates the need for protection against the colonists, and the shameful rightless position of the betaghs. "Hibernicus" here means both Irish and unfree. We read of Maccus or Magnus, King of Man and the Isles circa 970, who was of the Limerick dynasty and spent part of his life there—*War of Gaedhil and Gaill*, p. 271.

[1] *Just. Rolls II.*, p. 388.

[2] See Power, *Place names of Decies*. *C.D.I.*, I. No. 2336 (1236). Mandate to the Justiciar to deliver to the King's Treasurer the demesne which "MacChiteroc, an Irishman," held near Waterford, to make the King's profit thereout. The man thus losing his land was actually a Sitricson and an Ostman of the old royal race, but the fact that the Ostman had become hibernicised and taken Gaelic patronymics such as MacSiocradh, gave the colonists their chance to exploit them. Mac Schyterik is another variant of the name.

At the same time the new type of Anglo-Irish State prelate whom the Crown put into Dublin, Meath, Down, Ossory, and Leighlin, brought a Norman party into the Church which the old Gaelic bishops and abbots feared and disliked.[1] It was inevitable that an attempt should be made to staff the whole Church with Anglo-Normans, but by the end of John's reign only nine sees and these in South and East had been held by Englishmen. The Irish bishops holding the rest, formed a Gaelic interest which was well fitted to express the mind of their race. In the main, they were concerned with the liberties of the Irish Church, the plunder of Church property, and the intrusion of English clerics. They accepted the English Lordship, but looked on it as a bargain between the English King on one hand, and the Irish Nation and Church on the other, and looked to Rome, the Lord of Ireland's suzerain, to see that he fulfilled his part. Thus in 1202, during a vacancy in Armagh, a synod "both of Gaels and Foreigners" met in Dublin under the Legate John, Cardinal-priest of Monte Celio, and another at Athlone, and evidently deep griefs were uttered, for on August 15 of that year, King John appealed to the Legate against the bishops of Clogher, Ardagh, Kells and Clonmacnois, and others, who had resisted the King's right respecting the vacant Church of Armagh. The pressure of the Crown on elections, the keeping vacant of sees and other such royal methods were resented enough in England—in Ireland they has the further sting that John aimed at making a Norman stranger "the Successor of Patrick." The stand was successful, and Echdonn MacGilla-uidhir held the archsee of Armagh till 1216.[2]

[1] See *Charters of Duiske, op. cit.*, P.R.I.A. After the death of Bishop O'Dullany in 1202 the new Bishop, Hugh le Rous, a Cornishman, moved his seat from Aghaboe to Earl Marshal's new castle-town at Kilkenny. Simon de Rochfort, bishop of Meath, 1198-1224, abolished the former Celtic sees of Trim, Kells, Skreen and Dunshaghlin, which had survived the Synod of Kells, thus making Meath one great diocese.

[2] *C.D.I.* I. No. 168. Tomaltach O'Conor, brother of the Ard Ri, held Armagh between 1181 and 1201—on his death the question of succession arose, but it was not till 1206 that Echdonn (Eugenius) was in actual possession. For John's decree excluding Irishmen from cathedral churches, see later, p. 139.

From 1207 to 1210 William, the Earl Marshal, husband of Strongbow's daughter, Earl of Pembroke and Leinster, took the chief place on the Irish stage. This great figure of English politics has a whole *chanson de geste* devoted to him, which tells us much of his doings in Ireland in these years.[1]

The Earl, now a man of sixty, came to Ireland in February, 1207, against the wish of John, who feared his great lords, and realised that Leinster was not only one of the greatest earldoms under the Crown, but was also alarmingly remote.

A struggle, part political, part feudal, was now desolating the Anglo-Irish colony. Meiler, the Justiciar, was resuming huge fiefs from the grasping magnates, by the orders and to the satisfaction of his royal master. He took over, on the King's name, the city of Limerick, though Walter de Lacy held it for De Braose, and did the same with the Kingdom of Cork, Offaly, and Fercall in Meath, though William the Marshal claimed Offaly, and the Earl of Meath claimed Fercall.

The Marshal, therefore, took the leadership of the Barons of Ireland against the King's own deputy, till in October 1207 both were summoned to England. William left his Countess in Kilkenny Castle, with a garrison of knights, and sailed to England. But Meiler FitzHenry reached the royal court first, and returned straightway with an order to the Marshal's men to surrender. Instead they joined Hugh Earl of Ulster in an attack on FitzHenry's Castle at Ardanurchar in Meath, where they captured the Justiciar, and compelled him to make peace with the Marshal's lady.

The capricious John veered round, and early in March 1208 informed his Justiciar Meiler that the Marshal

[1] *L'Histoire de Guillaume le Maréchale*, ed. Paul Meyer. It naturally takes the Marshal and baronial side against John and FitzHenry. It seems certain, however, that the Irish barons, like the English, were ready for a revolt against the Crown, and they actually were in touch with Philip Augustus of France soon after (1209). John and his loyal viceroy, therefore, had every reason for securing all possible vantage in Ireland against a grasping and rebellious baronage. See Davis' *England under the Normans and Angevins*, p. 361.

and Walter de Lacy were loyal men. Soon after he gave the Marshal a new charter for Leinster, and Walter de Lacy a new charter for Meath; so the Earl of Leinster returned with great glory in April, 1208.[1]

Before the end of the year, Meiler FitzHenry had ceased to be Justiciar, and John de Gray, bishop of Norwich, held office till 1210. The grandson of Henry I. and Nesta, who died in 1220, left no legitimate sons and founded no family in Ireland.[2]

The interest of *L'Histoire de Guillaume* as an Irish historical document is but slight. It shows, however, the wide extent of William's Leinster earldom, and gives us the names of his knights—D'Erlée, D'Evreux, Fitz-Robert, FitzAnthony, Maillard, Husé, Porcel—names well known in later Ireland. Perhaps its greatest interest is that it shows how a purely English politico-feudal quarrel could be then fought out on the plains of Leinster and Meath, without either side calling in the Irish, as though the Irish counted for nothing in two provinces of Ireland.

The Earldoms of Meath, Leinster, and Ulster now seemed secure. But John had no desire to add to them by encouraging palatinates in Cork and Limerick; he repented having in his youth encouraged them, and a quarrel with William de Braose gave him the opportunity to abolish the Honor of Limerick. William owed great sums for this lordship which he neglected for his lands in Brecknock. John, therefore, ordered the debts to be levied on the Welsh estates, and William resisted. Moreover, De Braose's wife, Matilda, when summoned by royal messengers to give her son as a hostage for her husband's loyalty, refused to surrender the boy to "one

[1] The liberties in both cases were diminished from the former princely height. John reserved to himself the four pleas of the Crown, treasure-trove, rape, forestalling and arson; appeals might be made to the King's Court, where the Earls' Court failed to do justice or did injustice. Crosslands (*Crocie*), i.e., churchlands, and the higher ecclesiastical appointments were reserved to the Crown. The Earls were to keep the custody of fees where the heir of a tenant-in-chief of Liberty was a minor, but the crown reserved the "marriages" of such heirs. Orpen II., p. 233-4.

[2] For the disposal of his Kerry estates see Orpen III., p. 133.

who had basely murdered his nephew Arthur when he should have kept him in honourable custody." To escape the wrath to come, William had to fly with wife and sons to Ireland, where first the Marshal, and then Walter de Lacy sheltered the fugitives.

While Anglo-Ireland was thus the battle-field of Monarchy against Feudalism, the conquest of the West and North was suspended.

No determined attempt to conquer Ulster west of the Bann was made, and Aedh O'Neill held his own against the new Earl of Ulster. Meanwhile, Tir Conaill pursued its expansion policy to the south, and in 1208 Egnechan O'Donnell, invading Fermanagh, was slain by the local array, " along with slaughter innumerable of the nobles of Cenel Conaill." But Aedh O'Neill entered into alliance with the new King of Tir Conaill, Donal Mór, the son of Egnechan. Remembering their recent blood-brotherhood, the chiefs of the two races made a perpetual peace with promise of mutual aid against all adversaries whatsoever, English or Irish.[1]

The turning point of John's rule in Ireland was his personal visit, which lasted from late in June, 1210, to the end of August, the same year. His immediate purpose was to chastise De Braose and his supporters, the lawless De Lacys, who were, it would appear, in treasonable touch with Philip of France. Actually, John, it is clear, designed to remedy the state of Ireland in his own way, to diminish the feudal liberties, to examine the demands of the Irish kings and fortify the new government.[2]

[1] F.M. 1208: the latin *D* text of the *Ann. Ult.* give the terms of the alliance.

[2] H. W. C. Davis, *England under the Normans and Angevins*, p. 359-63, has several illuminating pages on John at this period. John had reduced Wales, brought William the Lion of Scotland into a treaty which for five years left the Scottish King in a position of dependency, and exacted the oath of fealty from all English freemen. He then turned to Ireland, where Philip of France was intriguing with the Anglo-Irish barons, with such apparent success that, according to a contemporary, " all men bore witness that never since the time of Arthur was there a King so greatly feared in England, Wales, Scotland or Ireland." But John was under papal excommunication from Nov.,

He landed from Pembroke at Crook near Waterford, on June 20th, 1210, with an imposing array of vassals, ministers, clerics and men-at-arms, carried in seven hundred ships. His commander-in-chief was Henry II.'s bastard son William Longsword, Earl of Salisbury. His scribes brought with them over fifty dozen skins of parchment, sufficient to record a new enfeoffment and an exhaustive survey of his Irish dominion.

At Waterford John was met by Donnchad Carbrech O'Brien, anxious to gratify the foreign Ard Ri. John granted to him the castle and lordship of Carrigogunnell, at yearly rent of sixty marks, while Donnchad's elder brother Murchertach, who joined John on his north-ward march, appears in the official record as " Mariadac, King of Limerick."

While he thus displayed a gracious face to the Irish, John showed a stern one to his offending barons. Marching by Kilkenny and Naas, he arrived at Dublin and lodged at St. Thomas' Abbey, June 28th. Here Walter de Lacy's barons pleaded in vain for their lord, for John meant to root out the two brothers who held between them Meath and Ulster.

Advancing through Trim, he seized Walter's castles, and at Ardbraccan, early in July, was met by Cathal Crovderg, who paid homage and marched with his overlord, and with the King of Limerick, to Carrickfergus. The two De Lacys had mustered an army of John's victims and enemies, but could not stand before the royal banner. John marched without delay by Dundalk to Carlingford, and crossing the Loch, in teeth of some resistance from the Earl of Ulster's men, took Dundrum Castle, while the Lacys fell back to Carrickfergus.

Hither the King, marching through Down, arrived on July 19th, and the chief stronghold of the Ulster earldom, though prepared for a desperate resistance,

1209, to May, 1213, and threatened by a baronial revolt and a French invasion. His treaty with the King of Scots in 1209 enabled him to make a subsidiary agreement with the Earls of Carrick, and Galloway, Duncan and Alan, by which he enlisted this powerful family against the Lacys and his Irish rebels.

fell after a siege of nine days, a whole crowd of De Lacy's vassals from Ulster and Meath surrendering, while Hugh and Walter themselves escaped to Scotland, and so to France. The defiant Maud de Braose, captured in her flight by Duncan, Lord of Carrick, was handed over with a young son to the relentless vengeance of John, who had them starved to death in Corfe Castle. William de Braose himself, the prime object of the King's wrath, escaped and died an outlaw in France the following year. Duncan of Carrick was rewarded by a land grant out of De Lacy's earldom, stretching along the Antrim coast from Larne to Glenarm.

John now turned south and marched through Down to Drogheda, making a detour as far west as Granard. On August 14th he was at Rathwire. He had despatched Cathal O'Conor home after the siege of Carrickfergus, charging him to return with his son as an hostage, on which he should get a charter for the third of Connacht. Cathal now came to Rathwire, but without the son, displaying a natural reluctance to deliver his child to such a King, whereupon John in anger seized four of Cathal's retinue, namely MacDermot, King of Moylurg, O'Hara, King of Luighne, Find, an officer of Cathal's household, and Torberd, his Seneschal, and took them with him.

On August 18th John was back in Dublin, stayed there till the 24th, and sailed from thence to Fishguard. The whole expedition was worthy of the demonic spirit of his race. During it he had taken two earldoms and the Honor of Limerick to himself, seized some twelve chief castles of Ireland, and attested his triumph by confiscations, the exaction of hostages, and the imprisoning of baronial rebels.

It is clear that John did not stay long enough in Dublin on either occasion to do all the things attributed to him there. Twenty Irish chieftains are said to have done him homage at a great Council held in the capital. He is said to have established counties and sheriffs. [1]

[1] *Roger of Wendover*, III. 233, records the submission of the Irish. *C.D.I.*, I. No.1458, a writ of Dec. 10, 1226, says "when King John went

Actually the founding of an Anglo-Irish government was spread over John's reign. Yet his visit was a turning point in the organising of a State, where all the ills of an unbridled feudalism were running wild. According to the chronicler Wendover, John held a parliament or *Magnum Concilium* of prelates and barons during his final stay in Dublin, where by common consent the laws and customs of England were extended to Ireland. Formerly it seemed as if the colony would be ruled from England; now a separate legislature was designed for Ireland, and its subjects were to enjoy the liberties which freemen in the mother country enjoyed. The Great Council of Ireland, summoned by the King's Lieutenant, became, in the course of a century, the parliament of Ireland, and the danger of feudal isolation was for the time averted.

John left able viceroys to take his place. John de Gray remained Justiciar till 1213, and Henry de Londres, Archbishop of Dublin, succeeded him till 1215. These episcopal statesmen combated, as no baron could have done, the centrifugal tendency of the Anglo-Irish baronage.

John's treatment of the Irish had been a great advance on 1185. He had dealt well with the O'Briens, and if he did not do so at once with O'Conor, this was partly Cathal's fault, and was redressed by the Justiciar on John's departure. Even if Wendover's story of the twenty Irish Kings who came to Dublin is not true, it is clear that many of the native chiefs were ready to make a fresh homaging to their foreign overlord, and their Kings accepted willingly, the scarlet robes which John bestowed upon them. [2]

William the Marshal had made peace with his offended

to Ireland, he took with him men expert in the law, by whose council, at the instance of the Irish, he ordained that English laws should be in force in Ireland, and left these laws reduced to writing under his seal, at the exchequer, Dublin." The loss of the patent, Close, and Charter Rolls for the year 1210 deprives us of authentic documentary details of the King's doings at this vital moment.

[2] *C.D.I.*, I. p. 70: scarlet robes ordered for the kings of Ireland (1211). *Lib., Mun.* I. pt. IV. p. 73. (1214), order to Henry, Archbishop of Dublin, Justiciar, to buy scarlet cloth (*escarlettas*) for giving robes to the kings of Ireland.

master before he left Ireland, and remained on his Irish estates till 1213. A man of generous and pious nature, his work in Ireland must be admitted as that of a true civiliser. To him rather than Strongbow was due that organising of Leinster which made it for the time a land predominantly English and feudal. His abbey-foundations at Tintern, Duiske and Kilkenny; his castle-town at Kilkenny, and his chartered town at Rosponte (New Ross), all have their place in our mediaeval civilization. Leinster was deeply and widely enfeoffed under him, and a numerous Anglo-Norman aristocracy was founded. We have noted some of the names which he brought into Ireland. His charters reveal others which entered into the warp and woof of later Ireland. Such were Rochfort, Archdeacon, le Gras or Grace, De Londres, St. Leger, Keting, Chevre and others, whose manors studded the rich plains along the Barrow and Nore.

Under the Earl, the manorialising of Leinster proceeded apace. A flow of inferior Englishry stocked the manors with a class of small freeholders, and the tillers and toilers were found among numerous betaghs or *hibernici*.

The whole process was naturally that of anglicisation. Yet the Earl Marshal's work was not disfigured by cruelty to the older race. Like Strongbow, he belonged to an older and more generous period, when the Norman was loftily indifferent towards race distinctions and freely blended with men of other tongues and traditions. Soon, unhappily, the Norman, in becoming English, lost the fine adventurous tolerance of his race.

In Leinster, Strongbow had established a sort of entente with the older occupiers, and this William Marshal maintained. MacGillapatraic continued to hold lands in upper Ossory, under the Earl. The race of Donal Kavanagh, who had been enfeoffed by Strongbow in certain lands in Carlow, still held under him, and other members of the MacMurchada race, were free vassals of his. The O'Tooles, MacGillacolmocs, and others were recognised as the Earl's kin through Eva

MacMurchada, and held lands under him. Those who had aided in the Conquest had all the rights of freemen.[1] As an instance, we find the following: In 1299, at the pleas of Jurors and Assises held before the Justiciar, Walter O'Tothel comes and shows a charter of William Marshal in the tenth year of John, enfranchising his great-grandsire, Gillepatrick O'Tothel, and his issue after him with English law, and the right to serve on juries and assises in the courts of the King and the liberties.[2] Leinster, it seemed, was in the way of becoming a land of two races, living honourably side by side.

The growing difficulties of John made it the more necessary to have in Ireland a second kingdom more amenable than England. A large revenue was drawn from the vacant earldoms. The King recommended to his bishop-viceroys the rapid organization of a state, the extension of the colony, the securing of true frontiers, and the winning over of the Irish kings. A final settlement with O'Conor hung fire. At Athlone, late in 1210, Cathal met the Justiciar De Gray and offered to hold Connacht of the English Crown. The captured hostages were returned, and though the final Treaty of Athlone was not sealed till 1215, it took effect at once, and Cathal, a real diplomatist, spent Christmas amicably with the Justiciar in 1211.

Donnchad O'Brien was now loyal, and a tenant-in-chief of the Crown for wide demesnes in Clare and

[1] The Harris *Collectanea*, I. p. 185, Claus 3, III. H. (in latin) the King to the Justiciar: as Mamorch Offorthieren and Rotheric, his brother, have shown that they and their ancestors were always faithful, *though Irishmen*, in conquering the Irish on the side of the English, we command you to see that they be allowed to hold and to claim land, like any Englishman.

C.D.I., II. No. 1873 (1281), safe conduct for Art MacMurth and Caruel Alfortien, Irishmen and kinsmen of the Earl Marshal (Roger Bigod, Earl of Norfolk), to visit him in England. The above Offorthieren or Alfortien is in Irish O'Foirtchern. A man of this Leinster race slew Donal Kavanagh in 1175.

[2] *Just. Rolls*, I. p. 271 (1299): Wogan being then Justiciar. Two Englishmen had disseised Walter of a freehold in Tancardstown, Co. Kildare, and replied that they ought not to answer to the court, as Walter was *hibernicus*. No verdict is recorded.

Limerick. His elder brother, "Mariadac," was retained for some time by the English, as a possible King of Thomond, but was finally ousted by his junior, and died in obscurity in 1239. Donnchad Carbrech retained Thomond and Carrigogunnell, and during his long reign, from 1210 to 1242, the kingdom of Thomond, though limited in extent, was a legal and actual fact.

But no terms were made with the Northern kings. O'Neill and O'Donnell had declined to come in to John in 1210, and in any case the Dublin government was determined to seize the frontiers of Connacht and Ulster, in readiness for a further advance West and North, and especially to control the Northern coasts so that no danger could come from Man, Scotland and the Norse-Gaelic Isles.

This encircling policy menaced the independence of the Northern Irish. In 1212 Gilbert de Angulo "Mac Goisdelbh" with Connacht levies began to build a castle at Cael-uisce, to command the narrow gateway from Connacht to Tir Conaill.[1] The Cenel Eoghain were similarly to be hemmed in from the sea; and at Carrickfergus, John de Gray granted to Alan FitzRoland, Earl of Galloway, in the King's name, no less than one hundred and forty knights' fees stretching from Derry to the Glens of Antrim, where Alan's uncle, Duncan of Carrick, claimed the whole coast south to Larne.

Thus was threatened a Scottish plantation of Ulster. In 1214, Thomas "Mac Uchtred," Earl of Atholl, brother of Alan, came with ships and men to build a castle in the old monastic town of Coleraine, and shocked the native mind by throwing down "the cemeteries and clochans (stone houses) and the buildings of the town, save the church alone, to build a castle."

Meanwhile the Justiciar de Gray had advanced to the Shannon and built at Athlone a stone castle and wooden bridge. This had long been the gateway of the

[1] Cael-uisce was at the west end of Lower Loch Erne, and not far from Es-Ruadh or Assaroe, i.e., the Red Waterfall, which was the ancient passway into Tir Conaill from Connacht, and one of the most vital strategic points in Ireland.

O'Conors into Meath, it now became the bulwark for the English colony of Meath. The line of the Shannon was further secured by John de Gray's successor, Henry de Londres, Archbishop of Dublin and Justiciar, who in 1213-14 built a fortress at Clonmacnois, and another at Roscré, to command Upper Ormond. The usual destruction of monastic buildings, the cutting down of fruit-trees, driving away of cattle, and appropriation of church land in order to build and endow the fortress at Clonmacnois, one of the most holy places in Ireland, evoked indignant protests from the bishop of that see, which money compensation did little to allay.[1]

When Geoffrey de Marisco, or Mareis, succeeded Henry as Justiciar early in June 1215, the frontiers of the "English land" had been pushed to the Erne, the Shannon and Loch Foyle, and the tradition of a central authority had been founded.

John had calculated well on Irish support. When, in the summer of 1212, already excommunicated, he had to face the rebellion of his barons and the prospect of their bringing in the King of France, the Anglo-Irish proved themselves, like their descendants of 1688, "more English than the English," and, led by William Marshal, met, and swore to support the King against his foes.[2]

When John mustered his tenants-in-chief against a French landing at Barham Down, early in May, 1213, the Justiciar John de Gray and the Marshal brought thither five hundred knights and many horsemen from Ireland. But a week later the King submitted to the Papacy, and undertook for himself and his successors, to hold England and Ireland as fiefs of the Holy See, at rent of seven hundred marks for the one, and three hundred for the other, and finally, by the signing of Magna Carta, June 17, 1215, he lowered the royal banner before

[1] *C.D.I.*, I. No. 694 *et passim.*

[2] *C.D.I.*, I. p. 73, No. 448 (Oct., 1212 acc. to Orpen II, p. 308): From William Marshal and 26 principal magnates of Ireland for the rest: "Moved with grief and astonishment, they have heard that the Pope has proposed to absolve the subjects of the King from their allegiance, because the King resisted the injury done to him regarding the matter of the Church of Canterbury. With the King they are prepared to live or die, and will to the last faithfully adhere to him."

the enemies of State-centralism. The barons secured the whole programme of their class privileges, and called them "the rights and liberties of England." Later, these were extended to the Anglo-Irish. But it is remarkable that while Magna Carta has clauses about Welshmen, Scots and Jews, it makes no mention of Irish and Norman-Irish.

A changed and fallen man, and much in need of ready money, John showed his altered mood in Ireland by charters of pardons and restoration.

Walter de Lacy recovered the Earldom of Meath, save the royal castle of Drogheda, for a fine of five thousand marks, and many underlords of Meath and Ulster were restored, but Hugh de Lacy did not get back his earldom. Instead, John, in June 1215, made further grants to the MacUchtred family, and made over to Thomas, Earl of Atholl, Coleraine and Kilsantail with ten knights' fees on both sides of the Bann. Cathal Crovderg got the kingdom of Connacht. By this final treaty, O'Conor was to hold all the land of Connacht in fee, at rent of three hundred marks, leaving to the English Crown the Castle of Athlone, and was not to be disseised thereof without judgment of the King's court. He was to pay, however, for this charter five thousand marks (September, 1215).[1]

The custody of the counties of Waterford and Desmond and of Cork city was granted at rent to Thomas Fitz-Anthony, the Earl Marshal's seneschal. There was no forgiveness for William de Braose, nor was the Honor of Limerick restored, but Philip de Worcester got a further five cantreds in Ormond.[2]

John, King of England and Lord of Ireland, died on October 19, 1216. He was the first effective foreign ruler of Ireland, and in so far as the *Dominium Hiberniæ* remained a real state, bound up with the fortunes and institutions of England, his was the hand of the pioneer.

[1] *C.D.I.*, I. No. 654.

[2] *C.D.I.*, I. No. 613, July, 1215.: The grant included "Jonaich Cassel" [Eoghanacht Caisil, the old MacCarthy demesne], Slievardagh, "Muskirrequirt" [Muscraidhe Cuirc], Cnoc Grafain, and covered all Tipperary south of Cashel.

CHAPTER VI.

THE EXPANSION OF THE COLONY, 1216-72, AND THE FIRST IRISH RESURGENCE.

WHEN Henry III. a boy of nine, was crowned King of England at Gloucester on October 28, 1216, he became *ipso facto* Lord of Ireland, and a mere official intimation of his accession to both dignities was all that was conveyed to the Justiciar of Ireland. The Anglo-Irish, the friends of his father, requested that either the King's brother Richard or the Queen Mother, might be sent to represent Royalty in Ireland, but the request was not acceded to.[1]

Henry was, till 1232, under the dominion of Hubert de Burgh, the great Justiciar of England, and it is mainly to this remarkable man that we must attribute the pushing on of the work of founding an Anglo-Irish State and Government.

In 1219 we find a separate Irish Exchequer at work in Dublin Castle, and a Chancellor of Ireland, John de Wortheby. In 1220 the powers of the Justiciar were defined, and later a definite salary was attached to his office.[2] Like the Justiciar of England, he was a supreme law-officer, and head of the whole judicial and administrative machinery. The continued absence of the Crown enhanced the dignity of an office which in Ireland long survived its extinction in England. Here the Viceroy was commander-in-chief, displayed the royal

[1] *C.D.I.*, I. No. 723 : The official reply indicates that the request was sent in October, 1216.

[2] *Ibid.*, No. 949,(1220): Convention between the Crown and Geoffrey de Marisco, Justiciar. Latter to answer to the King in his Exchequer of Dublin, of escheats, wards, fines, aids, etc., of the Land of Ireland. In 1226 the Justiciar is granted a fee of £580 p.a., which later (1277) was fixed at £500, the Justiciar to maintain twenty mounted guards out of this.

banner, by " royal service" called out the armed forces, presided over Council and Parliament, and perambulated the colony, holding the Pleas and Assizes of the Crown. While he acted by advice of the Great Council of prelates and peers, and while the Crown appointed the great officers of State, the Justiciar named all inferior officers and the constables of the royal castles.

To make the English of Ireland equal in their liberties with those of England, the Magna Carta was sent over in February, 1217. In 1227 the whole process of English law, its writs of Chancery, and its legal formulæ, were extended to Ireland, where the Justiciar acted in place of the King. The covering writ spoke of " the laws and customs which are to be observed in Ireland," and these laws are to be proclaimed in every county " except that no one shall be impleaded for the death or chattels of an Irishman till after the fifteen days of Michaelmas this year "—a significant exception, to which we will return.[1]

The framework of English local administration was already in existence, and had only to develop. In spite of the feudal liberties which the Crown had lavishly created, the common law and the county organisation were extended to most of the colony. Dublin was already a county in 1200, and by 1261, Cork, Limerick, Oriel, Waterford, Kerry, Tipperary and Connacht were complete shires, where itinerant justices held their Eyre in the county court, and the sheriffs collected the royal dues and made their Tourn.

With its Justiciar acting by advice of the Council of the Barons of Ireland, the new realm now enjoyed what we may call " Colonial Home Rule," and its essential unity was affirmed by a royal edict of 1246, in which Henry declared " we desire to have in our realm of Ireland only one Justiciar, Treasurer and Chancellor, under whose seal all writs shall issue, and only one Exchequer, which shall sit in Dublin." [2]

[1] *See Introd. of English Law into Ireland*, Maitland, E.H.R. 1899, Berry, *Statutes*, I. p. 24.

[2] *C.D.I.*, I. No. 2836 : An order to the Seneschal of Leinster, for-

In 1254 Henry granted the Lordship of Ireland to his son Lord Edward, "so, however, that the land of Ireland shall never be separated from the Crown of England." England and Ireland were in short united under the one hereditary Crown, but the English of Ireland enjoying "the laws of England," had their own legislative, judicial and executive institutions, and their consent was sought to measures affecting them.

But we must not exaggerate the powers or good intentions of the Government of Anglo-Ireland. Its Justiciars were seldom well-chosen, and it is almost incredible that such a man as Geoffrey de Marisco should have been continued in this great office for six years, 1215-21, and again in 1226-28. De Marisco, Lord of Adare and Any, was the supreme type of the baronial "bad man," false to the Crown, and brutal and false to the Church, to the native race, and to his fellow-Normans. Part of his record is as follows. In 1207 he was in arms against the Justiciar FitzHenry, but was pardoned with other baronial rebels. In 1213 two Irish chiefs, Finn and Donogh O'Demsy "were taken treacherously by De Marisco, taken to Dublin, bound to the horse-tail, and dragged through the streets till they died." In July, 1221, the English Regency itself dismissed Marisco for appropriating the whole revenues of Ireland for the past six years, to his private purse. In spite of this, the Crown restored him in 1226. In 1234 he was guilty of abominable treachery towards the Earl Marshal, and was the chief agent of his death. He detained the see-lands of Cashel unjustly, and robbed the See of Limerick of Kilmallock and other property, and was excommunicated by the bishop in 1235. Finally, accused of plotting the King's murder, he was outlawed, and died a wanderer and an exile in 1245. The criminal levity, cruelty, and rottenness of the ruling class of

bidding him to issue writs and hold assizes there, but to let the royal writs run as they did before the late Earl Marshal usurped royal liberties. *Ibid*, No. 985, March, 1220-1: the King to the Justiciar: the land of Ireland has only one justice itinerant, let two others, a cleric and a knight, be associated with that one, and so make their eyre.

England and Ireland in this age, cannot be better exemplified than in his career.[1]

The abiding flaw in the Anglo-Irish State was the treatment of the native race. The whole fabric of Irish civilisation was now broken, and masses of the Celts had been brought under Norman feudal law. Many if not most of the "betaghs" on the manors were no doubt already *fuidirs* and *daer* tenants under the old order. But it was a general practice of the Englishry, whose mind was that of a slave-owning ascendancy, to reduce whatever Irishmen they could to betaghry, and "hibernicus" was taken to mean a servile tenant with no rights against his lord or other colonists, any more than the contemporary Anglo-Saxon villein had. "Tenants, both free, i.e., English, and Irish, i.e., unfree," is the description of a manor population. The practice of expelling Irish freemen, and then pleading that they were *hibernici* and thus not entitled to hold land or tenement, to rob the Irish widows of colonists of their dowry and marriage land (*feronn phósta*), to reply that the aggrieved had no right to writs of *Novel Disseisin* and the like, was common, and was complained of not only by the Irish, but by the long-hibernicised Ostmen.[2]

The noblest of the Irish in the conquered lands, had to fear these wrongs as much as common artisans and free tenants of episcopal or manorial lords.

The treatment of the O'Toole family, formerly lords of the Ui Dunchada, may serve as a typical instance. As relatives of St. Laurence, as kinsmen of Strongbow through marriage, they were among those "faithful

[1] *Ann Clonmacnois*, 1213, when de Marisco was *Custos* of Ireland Theiner, *Monumenta*, pp. 19, 56. *C.D.I.*, I. No. 1001.

[2] M.S. transcripts of Exchequer Memoranda in Record Office, Dublin, vol. 30, p. 89. 48-9 Ed.III.: "*Consuetudines et servicia tam librorum tenentium quam hibernicorum*"—on the manor of Duleek. The *Justiciary Rolls of Ireland* (of which only two volumes covering 1295-1307 have been published), are full of complaints and instances of the above practices. Sir John Davies' *Discovery of the True Causes why Ireland was never entirely subdued* (ed. Morley, pp. 259-276) treats the whole subject, and no condemnation of English denial of rights to the Irish could be stronger than that of James the First's Attorney-General for Ireland.

Irish," to whom some of their lordship was spared. They gradually lost or granted away most of their wide domains, but still kept a great tract in the hill country of Dublin and Wicklow. The Marshals and the Church favoured the pacific race. Thus Archbishop Luke of Dublin, *circa* 1230, "confirms to Meyler, son of Laurence O'Tothil, the lands which his father held freely." These lands must have been extensive and valuable, for, on Meyler's death, an Englishman offered to pay £20 per annum to have the wardship, land, and marriage of Agatha, daughter of Meyler. But in 1299 a member of this race, Walter O'Toole, had to defend himself against two Englishmen who had dispossessed him and who answered to the writ of attachment, that he was *hibernicus*, i.e., an Irishman and a serf, and therefore they had committed no felony.[1]

Others of the chiefly races had been confirmed in their demesnes by the Crown or the first conquerors. But they were in constant danger from the rapacity of colonists and English courtiers, who procured royal grants,

Thus O'Bric of the Decies had been admitted to an extensive knighly tenure in 1203. But in 1252 Henry wrote to the Justiciar FitzGeoffrey to inquire into the lands held by Cormac O'Bric and other Irishmen *in capite*, obviously with a view of dispossessing them.[1] Earlier, in 1236, Maurice Fitzgerald, Justiciar, is ordered to deliver to the Treasurer, to make the King's profit thereout, "the demesne which MacChiteroc, an Irishman, held near Waterford." This "Mac Sitric," was actually an Ostman, but both the older races alike suffered as Irishmen. Many such expulsions were managed by Dublin Castle, by connivance with the settlers, and the colonial lords did not even disguise their intention of annexing the whole available land. Thus Meiler FitzHenry, in endowing Conall Abbey,

[1] *Reg. Alani II.* p. 839, for grant to Meyler, and *Crede Mihi*, p. 83, for Agatha. See formerly for "Walter Otothel."

[2] *C.D.I.*, I. No. 190 and II. No. 135. The names of these Irish Crown tenants were O'Bric, MacCrane, O'Kelechan, O'Culan, MacKermikan, MacKinecan.

included ten carucates in Kerry, and all churches of his lands of Ireland, " conquered and to be conquered " (*tam conquisitis quam conquerendis.*[1]

The province-dynasties or Five Bloods, as they were called, were less easy to expel. Negotiations had resulted in the recognition of the O'Conor and the O'Brien kingdoms. But it was by no means clear that Cathal or Donnchad was meant to hold as barons of the crown, fulfilling all obligations and passing their inheritance to their children like any earl. Here was the flaw in the treatment of the Irish *reguli ;* they were meant to be mere vassals by homage, holding only by life-tenure, rent, military service and good conduct, the latter a phrase generally interpreted to their disadvantage. That they were not summoned to sit with the prelates and lords of the parliament at Dublin, is proof of this.[2]

Henry's government constantly needed money, and when in 1218 it demanded an aid from the English colony, it directed the Justiciar to ask contributions from " the kings of Connacht, Thomond, and the other kings of Ireland." But this need of money exposed it to the offers of land-seekers, and Richard de Burgo, in September 1219, asked either to have the land of Connacht at once for 3,000 marks, or " the king of Connacht shall have half the kingdom for his life, and after his death, Richard shall have the whole " and offers £1,000 for this. Evidently the English government rejected this cold-blooded proposal, for in February, 1220, a patent was issued, giving protection to Cathal, King of Connacht, his chattels, goods, men and possessions for five years.

It was especially lamentable that the war of the two races should have entered into the Church. In 1216, King John directed the Justiciar of Ireland not to allow

[1] Dugdale, Monasticon, VI. Pt. II. p. 139

[2] The Irish chiefs were, however, addressed as vassals by the Crown. See *C.D.I.*, I. No. 1001, July 1221, letters announcing appointment of Henry, Archbishop of Dublin, as Justiciar to magnates and to Kathel of Connacht, Odo (O'Neill,) King of Keneleon, Dunekan (Donnchad), and Muriardac O'Brien, Dermot Macarthi, etc.

any Irishman to be promoted to a cathedral church in that country.[1] On the other hand, it seems that the native prelates equally sought to exclude men hostile to or ignorant of Irish speech and sympathy, and resisted the official attempts to staff the sees with English bishops. The intervention of Rome, the political suzerain, was sought by the Irish bishops, and the Legate James, who was sent to Scotland in 1220, received from Honorius III. weighty instructions about Ireland. "The custom introduced by King John that no Irishman should receive Church preferment" was to be abrogated. A grievance reported by the Archbishop of Cashel (this was either Donal O'Lonergan or Marianus O'Brien), was to be removed, namely, that when a Englishman lost anything and got six other English to swear with him that an Irishman had taken it, the latter, though of good name and guiltless, and backed by thirty or more sworn witnesses, was nevertheless compelled to restitution. To these complaints were added others about the plunder of church lands by the Normans. The Legate, however, proved an accomodating person from the English side, and soon quitted Ireland. Beyond the deposing of the two "intruded" bishops, nothing was done, and Innocent IV. in 1253, had to reprove in particular the "damnable custom" reported by the Archbishop of Cashel.[2]

Maurice, son of Gerald first baron of Offaly, came of age in 1215, while his uncle Thomas of Shanid, dying in 1213, left two sons, John and Maurice, and the accession of these young lords was signalised by a great advance in South-west Munster. There the Geraldines and Carews built a whole chain of castles, running from Castlemaine in Kerry to Bantry and Baltimore in Cork.

At the same time, John, son of Thomas, got Fitz-

[1] *C.D.I.*, I. Nos. 736 and 739.

[2] Theiner, *Monumenta*, pp. 15-20, 30 and 56; *Cal. Papal Reg.*, I. p. 283, August, 1253, from Perugia: Constitutlon whereby in the province of Cashel, the evil custom of giving credence to an Englishman on his oath, touching a theft, if supported by six Englishmen, while an Irishman, whose innocence is testified by thirty witnesses, has to make restitution, is abolished, and equal justice is ordered to be done between English and Irish.

Henry's and other lands in Kerry, and further increased the greatness of the Desmond Geraldines by marrying Margery, daughter of Thomas FitzAnthony, Seneschal of Leinster and *Custos* of Desmond and Waterford. One great family now dominated all Munster save Ormond. But the MacCarthys were still powerful, and Dermot " of Dundrinan," who had a Norman wife, was " King of the Irish of Desmond," and royal letters sent to " the magnates and kings of Ireland" in 1221 included his name. He died in 1230 and was buried in Cork in the Franciscan House, which he had founded in the old capital of his race, and was succeeded by his brother Cormac, and he again by Finghin, son of Dermot's younger brother, Donal Got.

Walter de Lacy, who did not return to Ireland till August 1220, directed his glance towards Brefni, which had now divided into the modern Cavan and Leitrim under O'Reilly and O'Ruairc respectively. For he saw the need, if the Conquest were to be final, of securing the line of the Erne and Upper Shannon. Hence in 1221, by an act of pure robbery, he granted O'Ruairc's country of Brefni to Philip de Angulo or " MacCostello,' lord of Navan. But the enterprise failed. Milo, son of Philip, built a castle at Athankip, but in 1247 was driven out by the O'Conors and transferred himself to Mayo.

Hugh de Lacy, whose claim to Ulster was deferred by the Government, came over in 1223 to assert it *vi et armis*, and raised forces in his brother's land of Meath, where William Gorm de Lacy, his Irish half-brother, vigorously aided him. Cathal Crovderg, therefore, true to his engagements, wrote to King Henry, beginning " *carissimo Domino suo . . . suus fidelis K. Rex Connactie*," and saying that Hugh, the King's enemy and Cathal's, has returned, but Cathal remains firm in his fidelity, but he is placed in great difficulties between De Lacy and those who pretend to be faithful, and so begs for armed assistance. In a second letter Cathal repeats that he has never failed in his fidelity, and never

will. He possesses a charter of Connacht from King John to himself and his heirs, and he now solicits a similar charter for his son Aedh, which would render his son and his people more zealous for the King's service. As William de Lacy, the King's enemy, holds Ui Briuin, Conmacni, and Caled, now let Cathal have these for his son Aedh, who is ready to do homage for them.[1]

With this letter, Cathal ended a career, which went back to the last days of independent Ireland. The kingdom of Connacht still endured, and Cathal had faithfully observed the treaties of the last fifty years and sought a legalised and honorable vassaldom under the *Dominus Hiberniæ*. His honorable perseverance, in face of the hostile De Burgos, and his confidence in the English overlord, point the moral that the greater chiefs of Ireland might still have been turned into loyal vassals and tenants of the Crown, had that Crown been what it was not, both strong and wise.

Cathal Crovderg died on May 28th, 1224, and was buried in his own Franciscan foundation at Athlone.

In every way O'Conor regarded himself and was regarded as a true king. His grants to Cistercian houses abroad are sealed "*Rex Connacie*," and served to remind the people of the Continent that Gaelic Ireland, once famous in Christian history, had still an independent existence.[2]

That bad man, Geoffrey de Marisco, was deprived of the government in July, 1221, and Archbishop Henry de Londres, who held office as Justiciar till the end of April, 1224, restored the non-feudal tint of the government. On June the 19th, 1224, William Marshal, junior, Earl of Pembroke and Leinster, arrived as Justiciar. Charged with the expulsion of the contumacious Hugh

[1] See *Nat. Facs. Ir.* Pt. II. (date soon after June, 1223).

[2] *Rev. Celtique*, 1886, vol. VII., pp. 52-82 and *E.H.R.*, 1913, Orpen, *Some Irish Cistercian documents*, p. 303. One of these, from *C. dei gratia Rex Connacie*, gives five marks p.a. for ever to Citeaux through the Abbot of Mellifont, attested by the Archbishop of Tuam and four bishops, also by four "*duces*" and "*comites*," Toirbert, "our Seneschal," Concors (Conchobhar ?), our "Chancellor," etc.—a true royal style. For Donnchad Carbrech's grants see later.

de Lacy, and with answering O'Conor's last request, he made a grant to Aedh, Cathal Crovderg's son and heir, of Ui Briuin, Conmacni, and Caladh (Brefni and the modern Longford), and marched at once against the Lacys, while Aedh, acting on orders, fell on Lacy's garrison at Ard-gabhla in Longford, and wiped it out. Hugh de Lacy's knights held Trim for six weeks against the Earl Marshal, and then surrendered on August 11. William Gorm fled to the wilds of Cavan, leaving O'Reilly's crannog fortress on Loch Uachtar, where he had placed his Welsh wife Gwennlian, daughter of Llywelyn the Great, and his Irish mother, Rose O'Conor, to be captured by the Marshal's troops.[1] In Ulster Hugh de Lacy got the aid of Aedh O'Neill, and held the Gap of the North, but surrendered in October, 1224. The affair was brought to an end in May, 1225, when Walter de Lacy was pardoned for a heavy fine, and Hugh had some provision made for him, and finally was restored in 1227 to the Earldom of Ulster.

Meanwhile, Donal Mór O'Donnell continued his triumphant career, invaded Brefni, and secured the homage of O'Ruairc and O'Reilly, and in 1234 slew Oengus MacGillafinnen, king of Fermanagh "and subjected all the inhabitants of that country, so that they swore to be obedient in all things to himself and his son after him, as were the men of his own country." [2]

In 1241 Donal Mór died, and his son Melachlin succeeded him. The Cenel Conaill had sworn in 1208 to aid the O'Neills against every foe, English or Irish, and the alliance was once more put to the test. After the death in 1230 of Aedh O'Neill, "a king who never gave pledge or hostage to Gael or Gall," Donal Mac Lochlain asserted for ten years the claims of his race, but Melachlin O'Donnel came to the aid of Brian, son of Niall, son of Aedh O'Neill, and one of the most decisive of Irish battles was fought at Cam-eirgi, in 1241. The

[1] See for this Welsh-Irish connection, Prof. J. E. Lloyd's paper "who was Gwenllian de Lacy?" in *Arch. Cambrensis*, July, 1919.

[2] The subjection of the *Garbh-trian* of Connacht in 1220, and of Fermanagh in 1234, are recorded in the *D* (latin) version of *Ann. Uls.*.

MacLochlain power was for ever shattered and the name almost extinguished by the death in the fight of Donal himself, and ten of his "derbfine." Brian O'Neill took the kingship of Tír Eoghain, and the supremacy of his race was never broken till its overthrow in 1603.

In Connacht, Aedh O'Conor had succeeded to his father Cathal, with the approval of the Earl Marshal, and joined the latter against the Lacys. A curious traditional account of Aedh's short career is given in the Gaelic tract on the "Inauguration of Cathal Crovderg." It says that after the English and Irish of Ireland had risen up in 1224 against the sons of Hugh de Lacy and the Cenel Eoghain and forced peace from them, there was then a great Court (*cú irtmhór*) at Dublin and Aedh O'Conor attended it and was betrayed, till William Marshal, his bosom friend, with strong forces entered the court, rescued him and set him at liberty." After four years (i.e. in 1228), continues the tract, Aedh was slain by one Dundon, an English carpenter, who resented his wife's bathing Aedh in the hall of Geoffrey Morris (de Marisco), the Justiciar, and was hanged for the deed by the Justiciar's orders.[1]

Substantiated by Loch Cé, this means that Aedh attended a Parliament of Peers like any other tenant-chief and made his case against De Burgo. But his treatment was not likely to encourage other chiefs to attend this Norman-feudal assembly, and his murder by a jealous English husband, over what was an innocent Irish custom, even though promptly punished, was a shock to the loyalty of the Irish.

In any case, De Burgo now had the ear of the Crown and of his cousin, Hubert, the Justiciar. The official records show that Aedh was summoned in June, 1226, to the King's Court at Dublin "to surrender the land of Connacht which he ought no longer to hold on account of his own and his father's forfeiture, for by King John's charter, granted to Cathal, he only held the land as long as he faithfully served the King." This was a most

[1] *Op. cit.* Kilkenny Arch. Soc., 1852-3, ; *Ann. Loch Cé.*

callous twisting of the terms of 1215, and a complete breach of faith. Cathal had believed that the grant of Connacht was made to him and his heirs like any barony. Aedh had certainly joined the Earl Marshal against the Lacys in 1224, and operated vigorously against Lacy's men, who were also aggressors on his borders, but so far from being a rebel he acted on government orders "and faithfully served the King." The Marshal, his friend, had been deprived of the viceroyalty on June 22, 1226, and Aedh had no friends except that Earl, who henceforth felt a deep resentment against the Crown over O'Conor's treatment. Whether Aedh attended or not made no difference, it was easy to show that he was now in arms, and in May, 1227, the Land of Connacht, some twenty-five cantreds, was adjudged to his enemy, Richard de Burgo, with a reservation to the Crown of five cantreds about Athlone, henceforth called the King's cantreds.[1] The whole case shows how hard it was for the chiefs to maintain their position against the Crown, and those conquistadors who had the ear of the Crown.

De Marisco was made Justiciar again in 1226, and there was a complete feudal reaction. The Justiciar put the resources of the State at the disposal of De Burgo and his fellow-buccaneers and bridled Connacht still further with a castle at Rinndúin, now Randown, on Loch Ree. In February, 1228, Richard de Burgo was himself made Justiciar, and, uniting his public and private powers, set hismelf to the conquest of Connacht.

His first step was to find a tame O'Conor in Felim, a younger son of Cathal Crovderg, whom he installed as King in 1230 with the support of the kings of Thomond and Desmond. But the grant of Connacht to De Burgo had left so little to O'Conor that he naturally chafed

[1] For the grants of De Burgo, *C.D.I.*, I. p. 212 and No. 1518. The Five King's Cantreds (named in Orpen III. p. 137), covered nearly all Roscommon and parts of Galway and Sligo. They were O'Many, Moy Ai, The Three Tuaths, and Moylurg—Tirerril (in Irish, Ui Maine, Magh Ai, Tri Tuatha, Magh Luirg and Tír Oililla)—Moylurg being the country of O'Conor's most powerful vassal, MacDermot. They included the whole Síl Muiredaigh, and were held in reserve to give or withhold, according as O'Conor "faithfully served the King" or no.

at his vassalage and was therefore imprisoned in De Burgo's Castle at Meelick. Even the English Government felt the reproach, and in August, 1232, Henry wrote to De Burgo saying that he had been informed of his shameful treatment of Felim, and ordered his release.[1]

The great Hubert, Justiciar of England was dismissed by Henry III. in July, 1232; his nephew, Richard, was deprived of the vice-royalty; and Maurice FitzGerald, baron of Offaly, another feudal viceroy, succeeded him in September, 1232, and ruled till 1245.

Meanwhile the baronial opposition to Henry and his foreigners in England was reflected in Ireland in "the War of Kildare."

William Earl Marshal died in 1231, and his brother Richard succeeded him in Pembroke and Leinster. Richard, the natural leader of Henry's barons, did not hide his disgust at the King's wretched government. After one bold protest at Court against the foreigners who ruled England, the Earl in 1233 withdrew to Wales, allied himself with Llywelyn, the King's enemy, made open war against the King, and finally arrived in Ireland as a proclaimed traitor in February, 1234.

The grandson of Strongbow and Eva might think himself a king in Ireland; but the royal arm was long, and Henry's foreign advisers, Peter des Roches and others, had induced the feeble king to direct letters to Maurice Fitzgerald the Justiciar, the Lacys, De Marisco and Richard de Burgo, bidding them seize the Marshal alive or dead, and promising to divide his lands among them.

Geoffrey de Marisco, the particular villain of the piece, now came to Richard, urged him to draw the sword for his rights, and remember that from Strongbow he inherited a right to Ireland.

The deluded Earl did so, openly repudiated his allegiance to Henry, and after some successes, with greater chivalry than discretion, came to a conference with his secret foes at the Curragh of Kildare, on April 1, 1234. They turned it into an open encounter, in

[1] *Royal Letters*, Shirley, I. pp. 500-3.

which, having but fifteen faithful knights against a hundred and forty, he was struck down, taken to Kilkenny, and died there of his wounds on April 16th.

It was an atrocious act of treachery, done without shame by the high nobility of Ireland. Yet it was not Irish; the murderers were pure Anglo-Norman, and the Earl himself declared his cause to be solely that "of justice, the laws of England, and the expulsion of foreign favorites."

Thus the whole thing was but an incident of the Barons War, of the fight of "England for the English." Yet the English Government might well fear lest Strongbow's grandson should proclaim himself King of Ireland.

Now seemed the moment for the Gaelic chiefs to come into their own. Felim O'Conor wrote to Henry and appeared at the English court (1234). Honorably received, yet his request for all Connacht was refused, for the King had taken De Burgo into favour again.

Instead, the colonial array was summoned by Maurice FitzGerald, the Justiciar, to instal De Burgo in Connacht, and most of the chief names of the Englishry joined the royal army, which thus went forth on a purely feudal enterprise. This hosting is impressively described by the Annals of Loch Cé (1235) as "a great hosting of the Foreigners of Erin, who were assembled by Richard de Burgo . . . and the principal chieftains in this hosting were Maurice, the Justice of Erin, Hugo de Lacy, Earl of Ulster (Ulaidh), Walter Ridlesford, high baron of Leinster, with whom were the Foreigners of Leinster, and John Cogan, with whom were the Foreigners of Munster."

An irresistible machine, this army traversed all Connacht, defeated Donnchad Carbrech, who had joined the Connacht Irish, took MacDermot's fortress of Loch Cé, and drove Felim to take refuge with O'Donnell. Finally, Felim bowed to the inevitable, made peace with the Justiciar, and "the five cantreds of the King were given to him, free from cattle-rent or tribute" (1237.) [1]

[1] *Loch Cé*, 1237. Actually Felim held at rent, as we see later.

Donnchad O'Brien thus fought his last campaign, though unsuccessfully, on the Irish side. He died in 1242, sole chief in Thomond, but his kingdom was now little more than the modern Clare, and Ennis, not Limerick, was now its capital. Yet Donnchad called himself to the end *Rex Tuadmonie*, and grants made by his under-chiefs are confirmed by him in the old royal style.[2]

A tremendous enfeoffment followed the most successful piece of freebooting since Strongbow, and practically all the " first families " shared in the booty of Connacht. De Burgo and De Lacy acted like kings, and in no land-appropriation since the invasion had the Crown of England so little to say. De Burgo himself seized on the level and fertile lands of Galway, east of the Corrib. He then gave five cantreds in Sligo to Hugh de Lacy, who at once sub-enfeoffed to Maurice Fitzgerald. This latter got from Hugh Carbery and North Leyny, and from Jordan D'Exeter, Lord of Affane in Waterford, who had shared in the campaign and the booty, the Southern portion of Leyny. Thus was formed a Geraldine lordship in North Connacht, with its centre at Sligo, where Maurice built a castle in 1245. Hugh de Lacy also handed over to Maurice his claims as Earl of Ulster to Tir Conaill and Fermanagh, an amazingly cool transaction. Maurice also got the Manor of Loch Mask in Mayo and the lands of O'Heidhin in the later baronies of Dunkellin and Kiltartan in South Galway. His son, Maurice later added the cantred of Corran to the Sligo lordship, and so the Geraldines, already so great in Leinster and Munster, became, next to De Burgo, the chief Norman name in Connacht.

The western portion of Sligo, Tireragh, went to Piers de Bermingham. Mayo was similarly parcelled out, and in the end thickly colonised. Sliabh Lugha,

[2] *E.H.R.*, 1913, ; *Some Cistercian Docs.*, p. 303. Donations by *Donatus Karbreach Rex Tuadmonie* of certain sums to Citeaux, are attested by his vassals O'Grada, O'Dea, O'Hea, O'Liddy, MacNamara. Other donations by O'Grada and O'Kenedig, etc., are sealed with the seal of *Donatus Karbreach Rex Tuadmonie.*

which went to Milo *de Angulo*, became the barony of Costello, called after his Irish name. Adam de Staunton, a Leinster tenant, got the cantred of Carra, and founded a family there. A member of the Prendergasts of Cork secured the present barony of Clanmorris, and Jordan D'Exeter got the barony of Gallen. Piers de Bermingham also got the barony of Dún Mór in the modern county Galway, while his kinsman Meiler founded a line at Athenry (Ath-na-righ). and erected a Dominican Friary there.

The whole north-west of Connacht, called Hy Fiacrach, Tirawley, and Erris, had a plantation of unique character, which is the theme of an extant Gaelic tract of strange and curious details.[1]

Robert de Carew of Cork had joined in the 1235 enterprise, and receiving the cantred of Bac and Glen (now Tirawley), from De Burgo, gave it to one of his Cork tenants, William Barret. The O'Dubhdas, chieftains of Tir Fhiachrach, and other Gaelic owners, were expelled, and a whole body of colonists settled in, the men-at-arms and lieutenants of De Burgo. Their descendants, sprung from the Barrets and their comrades, were called by the Irish "the Welshmen of Tirawley," as being derived from the Cambrian followers of Strongbow and the Geraldines. Their names, given by MacFirbis, seem to confirm the tradition; they are: Barret, Clan Héil (Howel), Toimilin, Lynnot, Hosdy, Philbin, Merrick, Walsh (Bhailseach), etc.[2]

Along with Strongbow's Welshmen had come Flemings of South Wales, and so appropriately now a Fleming got Erris, the extreme north-west corner of Mayo. Other adventurers poured in—Butlers, Petits, Cusacks, Brownes (le Brun)—and in the next hundred

[1] *Tribes and Customs of Hy Fiachrach, called O'Dowda's country*, by Dubhaltach MacFirbis, ed. O'Donovan.

[2] *Ibid.* MacFirbis has preserved the tradition of the "Welshmen of Tirawley."...That Maiduc (or Maigeog) was a common first name among the Barrets is extra proof of their Welsh origin. From one of them, Valentine or Baitin, came their Irishized surname MacBhaitin or MacWattin.

years North Connacht held at once an Irish, a Welsh, and a Norman-English interest.

The De Burgos and a few of their followers established towns; thus arose Galway, Athenry, Dunmore and Ballinrobe. But nothing like the urban, or English, organisation of Leinster took place. A feudal land, a land of abundant castles, De Burgo's Lordship of Connacht from the first absorbed almost no plebeian English, nor, save for Galway and Athenry, any true burgess element. It was a colony of Welsh and Normans to whom the Saxon tongue and traditions were unknown—a colony too thin and aristocratic to make the land its own—hence Connacht was the first of the conquests to turn Irish again.

In this "War of Connacht," the Norman triumph was assured by the superior military and diplomatic skill of the victors. They played on the divisions of the native race and set *rigdomna* against *rigdomna*, enlisted native soldiery, and rapidly encastelled the land. The O'Conors failed to combine their nominal vassals against De Burgo, and it is clear that after Cathal Crovderg his successors became more and more simply chiefs of the old Síl Muredaig demesne in Roscommon.

But apart from all else, the war efficiency of De Burgo's followers constantly prevailed. This is vividly suggested in a passage in the Annals of Clonmacnois. In 1248, they say, "the Irish nobles of Connacht went to spoil Athenry, under Terlaugh mac Hugh and Hugh mac Hugh (O'Conor);" with a great army they assaulted the town, in which were Jordan D'Exeter and many Englishmen. The latter rushed out to meet the Irish, and "when the Irish nobility saw the Englishmen and horsemen well apoynted with harnish, armes and shirtes of maile, they were daunted and affrighted at their sight, and were presently discomfited."

Unlike the absentees of Munster and Leinster, the conquerors of Connacht almost all at once entered on their new lordships, and the result was, before the end of the century, a Norman domination of Connacht, which

strategically seemed likely to complete the conquest of Meath, Munster and Leinster, and leave only Western Ulster a breathing space before it too succumbed. For example, FitzGerald's lands now stretched to Loch Melvin, his claims to the Erne and the Foyle, while his lands in South Galway pressed hard on what little of Thomond was left to the O'Briens.

In 1250 the Crown granted to Conor Rua, Donnchad O'Brien's son, " the land which his father held by charter from King John, to hold during good service " for a fine of 2,200 marks. This was Donnchad's moiety of Thomond. But already in 1248 Henry had granted the cantred of Tradry, between Limerick and the Fergus, at yearly rent of £30, to one Robert de Muscegros. Thus the native race was taught afresh that even their greatest could look for little more than a life tenure on very brittle terms, at crushing rents, without security for their sons, and nullified by concomitant grants to English adventurers.

The death of Richard de Burgo on the Poitou expedition, in the winter of 1242-43, gave Felim O'Conor his chance to appeal to Henry again. He was given safe conduct in December, 1243, and came to Windsor. Henry professed indignation at O'Conor's wrongs and ordered the Justiciar to reinstate him in his kingdom, but the Anglo-Irish interest was strong enough to thwart the royal command.[1]

In need of money and men, at war with France, Scotland and Wales, the English Crown did not disdain the help of the Irish kings, technically its vassals, and in July, 1224 Henry requested " Dovenald, king of Tircunill," " Felim (O'Conor), son of the late king," Brian O'Neill, " King of Kinelun," O'Brien and other Irish chiefs—twenty-one in all, to join him in person against the King of Scots.[2]

There is no evidence that they went, but early next

[1] Rymer's *Foedera*, I. p. 254: he is called *Fedlimus Ocancanir filius regis Conactiæ.*

[2] *C.D.I.*, I. No. 2716. Beside O'Neill and O'Donnell ten were chiefs of Eastern and Central Ulster.

year Henry sought Irish aid, this time against Llywelyn of Wales, and Felim, joining the Justiciar Maurice Fitz-Gerald, sailed with 3,000 Irish infantry to Henry in his camp at Conway in October, 1245.

In the letter of safe-conduct for Felim to Gannock, Henry spoke of his own "*proximus adventus in Hibernia.*" The royal visit was never paid, and yet never was a more favourable moment for the King on Irish soil to review the whole state of his *Dominium Hiberniæ.*

A remarkable series of deaths had just eliminated from the history of Ireland, names closely identified with the history of the Conquest. Walter de Lacy, Earl of Meath, died in 1241, and his brother Hugh, Earl of Ulster, in 1243. Both were son-less, and heiresses inherited their claims. The last of William Marshal's four brothers, Earl Anselm, died in December, 1245. None of them had left male heirs, and the five daughters of the elder William, who died in 1219, inherited portions of Leinster. With the death of Alan FitzRoland in 1234, and that of Duncan of Carrick's son later, the two branches of these Scottish families died out in the male line.

At the same time Richard de Burgo was dead (1243), leaving three sons who were still minors. In swift succession four provinces of feudal Ireland had fallen vacant.

The English Crown was well aware how fatal to its authority were the feudal immunities. John had effectively reduced the liberties of the Marshals and Lacys, and his son's government had aimed at the extension of common law and the shire-system, at the expense of the magnates.

But the mediæval king was among his barons but *primus inter pares*, and a frontal attack on the feudal interest was a thing which only a Henry II. or an Edward could successfully attempt.

Thus the moment for a great de-feudalising was lost. Of Walter de Lacy's two grand-daughters, Margaret married John de Verdun and brought to him West Meath,

with Loch Sewdy as its capital, while the other moiety went with Matilda Lacy to her husband, Geoffrey de Geynville, a Frenchman, with Trim as the centre of his lordship.

Ulster was kept in the King's hands till 1254, when it was granted to his son, the Lord Edward.

Leinster was partitioned into five lesser liberties The eldest of the five daughters of William Marshal, senior, Maud, wife of Hugh Bigod, Earl of Norfolk conveyed to him the lordship of Carlow. Joan left her share, the Liberty of Wexford, to William de Valence husband of her daughter Joan, who was made Earl of Pembroke in 1264. Isabel, the third sister, had married Gilbert de Clare, Earl of Gloucester, and their son Richard, Earl of Gloucester, now inherited the lordship of Kilkenny. Sibyl, the fourth sister, had married William de Ferrers, Earl of Derby, and their seven daughters now inherited her portion, Kildare. Of the seven we need only mention Agnes, wife of William de Vescy, who in 1270 got the Manor and most of the Lordship of Kildare. Eva, the last sister, had married William de Braose; of their three daughters, Maud was married to Roger Mortimer of Wigmore who became Lord of Leix.

Each of these portions of the Earldom of Leinster retained the former feudal liberties, and each had its *caput* or central manor, where the lord's chief court was held, presided over by his seneschal. Thus Carlow was Bigod's chief manor-town, Dunamase that of Mortimer.[1]

The Crown, in fact, culpably negligent of its interests, allowed a feudal monopoly in Ireland which it refused in England. The conquistador families had Ireland in their grasp, they preserved the anarchic traditions of Stephen's days, and, entrusted with the reduction of the island, they had to be entrusted also with the weapons by a Crown which in Ireland had neither troops nor revenues.

[1] The whole partition is exhaustively worked out by Orpen, III. ch. XXVI.

Only in Leinster and the Vale of Dublin was the Government jealous of State rights. Hence we have Henry issuing his strict injunction to the Seneschal of Leinster in 1246 that no "usurped liberties" should intercept royal writs in that great province. But in Connacht, Munster, and further Meath the Lords of Liberties were given free rein.

Nor was the moment seized to repair the wrongs of the Irish. Now, with the great Earls gone, the chiefs of Ulster, Leinster, and Meath might have been made liege vassals with secure hereditary titles. But the semi-rightless position of the older race was allowed to endure.

Richard de Burgo, dead in 1243, had left two sons, Richard, who died in 1248, and Walter, who obtained seisin in 1250. Henry, however, looked favourably on O'Conor, and in 1257 Felim met the Justiciar, Alan de la Zouche, at Athlone, and the five cantreds of Síl Muiredaig were confirmed to him by royal charter.[1]

In 1245 Maurice, head of the Geraldines, ceased to be Justiciar, and John FitzGeoffrey took his place till 1256. Maurice as Justiciar had utilised the State revenues, the feudal levies, and the royal castles for a war upon the unconquered Irish. He induced FitzGeoffrey to continue the same policy, and a vigorous forward movement was planned, to serve at once the interests of Anglo-Ireland and the ambitions of the Geraldines. His hereditary possessions in Leinster and Munster, where he got Adare after the fall of De Marisco, his personal acquisitions in three counties of Connacht, made Maurice already a potentate on a grand scale; if he could add Western Ulster to these, no baron in Ireland—now that Lacys and Marshalls were gone—would equal him. Especially was it the time now for this ambitious man to advance on Western Ulster, for the Lacy earls were gone, and the vacuum thus created he might fill.

With the true eye of a conqueror he saw that as

[1] *F.M.* and *Loch Cé*, 1256 and 1257.

long as North-East Connacht and further Ulster were unconquered, the conquest of Munster and Mid-Connacht was incomplete, and the colony even in Meath and Leinster were never secure from an Irish resurgence.

A double campaign therefore was planned by which O'Donnell and O'Neill were assailed from the Erne, the North Sea, and the South Ulster frontier. A line of fortresses at Sligo, Donaghmoyne, Moycova, Coleraine and Cael-uisce supported the attack. In January 1247, escorted by one Cormac O'Conor, Maurice marched to Bél-atha-senaigh (Ballyshannon), and was met there by Melachlin O'Donnell, who, after holding the ford for a week, was routed and fell in the battle.

FitzGerald, who was well coached in Tír Conaill politics, then set up Rury O'Canannain, of the older dynasty, but before a year was out, Goffraidh, son of Donal Mór O'Donnell, slew the intruder, and took the kingship again, early in 1248.

From this time we may trace a general Irish protest, both in words and in arms, which ended, here in defeat, there in victory, in 1270.

The English Government could spare neither arms nor care for Ireland; indeed, Henry made piteous appeals for men and money from the prelates and barons of Ireland in the years 1253-4 when the King of Castile threatened an invasion of Gascony, and in summoning the Justiciar, FitzGeoffrey, to Gascony in May 1254 "regrets to have heard that the Irish are over-elated at the coming to the King of the Justiciar and Maurice FitzGerald and other magnates of Ireland." [1] The difficulties of England for the first time became Ireland's opportunity.

The Irish Church, though timid and bent on its own wrongs, enheartened their race by their peaceful protests. Early in 1255, MacFloinn, Archbishop of

[1] Betham, p. 252, (Feb. 2nd 38 H. III.): writs are sent to the magnates and prelates, knights and freeholders of every shire, asking them for aid in the Gascon War, and a fortnight later, to the freemen, citizens and burgesses, asking them to assist the Justiciar. In July, 1253, Henry received nearly £4,000 of Irish money.

Tuam, and the Bishop of Killala, on the part of all the clergy of Ireland, laid before Henry in person certain grievances, such as "that they and their tenants are dragged, contrary to the ancient liberties of their churches, into pleas before justices in other provinces; some of the King's justices and sheriffs take bribes from one party in plaints, to the harm of clergy and laity; the clergy are vexed by frequent attachments; Irish barons prevent Irishmen faithful to the king from bequeathing their chattels," and other complaints against the secular attacks of the Englishry on Church rights and claims. Pope Alexander IV. was appealed to, and while in 1250 he had condemned the custom by which English clerics were excluded from Irish churches he now exhorted the King to do right to the Irish.

The King's answer and directions to the Council of Ireland to redress these wrongs unhappily fell flat like so much other over-channel redress.[1]

More effective was the armed and political movement of the lay chiefs, whose provincial resistance was inspired by a general aim, that of the expulsion of the English, province by province, and the restoration, either with a native or a Norse Ard Rí, of the fallen High Kingship.

In the South-west the power of the Geraldines had overflowed all Desmond. Already, in 1232, Kerry was an Anglo-Irish county, numerous castles hemmed in the Irish, and John FitzThomas exercised lordship over most of this remote country. Decies and Desmond had been in the King's hand since 1223, when Fitz-Anthony had lost the custody of them. Finally, in November 1259, John FitzThomas, FitzAnthony's son-in-law, received from Prince Edward a grant in fee of Decies and Desmond, the later Earldom of his race.

Thus finally handed over to their enemies, the resentment of the dispossessed chieftains burst into

[1] *C.D.I.* II., pp. 54-7, 55, 74-5. The King's answer to the bishops is dated from Nottingham, July 30, 1255. For the Pope see *Cal. Papal Registers* (1198-1304), pp. 73-75, 283.

flame. Finghin "of Rinn Róin" MacCarthy, son of Donal Got, who was now the head of the race, rallied the free clans of Desmond, and levelled six castles of the settlers.

FitzThomas, like his kinsman, could call upon the Anglo-Irish State for aid, and in 1261 William de Dene, Justiciar, led a royal army into Desmond and was joined by FitzThomas and the English of Munster. The two armies met at Callann near Kenmare, and the fury of the native race against their conquerors was displayed in the most determined stand they had made since Strongbow. Norman armour, horse, and generalship were for once in vain; the colonial army was totally overthrown, and John FitzThomas himself and Maurice, his son, were slain, together with eight barons, twenty-five knights, and many more of the Englishry (July 24, 1261).

Only an infant grandson, Thomas "an ápa," son of Maurice, represented FitzThomas.[1] But Milo de Courcy and Milo de Cogan, uniting, attacked and killed Finghin at Rinn Róin on Kinsale harbour, in the autumn of 1261.

In the next year, 1262, the new Justiciar, Richard de la Rochelle, and Walter de Burgo, who had now come of age, engaged Cormac MacCarthy, son of Donal Got, in battle on the slopes of Mangerton. Cormac fell, but heavy losses on each side and a drawn battle attested the new spirit in the native race.

The MacCarthys had failed to expel the English from Desmond, but they had won a great local triumph. Since 1170 they had been driven from Cashel to the Kingdom of Cork, and had lost most of that to the Normans. With Dermot of Dundrinan, who was buried in Cork in 1230, that city ceased to be their capital. But from 1260 they built up a lordship in South-west Munster which grew steadily till the days of Elizabeth. The Norman castles built from Killarney round to

[1] "An Ápa" of the Ape, because a monkey is said to have saved Thomas, then an infant, from a fire in the Castle at Tralee.

Glandore, with the country they commanded, fell into their hands or those of O'Sullivan, O'Donnchadha, and other vassal chiefs. The Lordship of Decies and Desmond lapsed till Edward I. regranted it to Tomás an Ápa in 1292; in the interval the MacCarthy lordship established itself over all West Cork and South Kerry. and the Desmond Earls never had more than a head-rent from these lands. From Cormac Fionn came the senior line of MacCarthy Mór, who finally held the whole angle from Blarney to Mallow, along the Blackwater to Castle Maine and round to Bantry, while from Donal Got came MacCarthy Riach, who held from Bantry to Innishannon—the first of these ruled a kingdom of over 2,000 square miles, the second one of over 600, and there were other sub-septs of the name.[1]

The death of Maurice FitzGerald in the spring of 1257 emboldened the chiefs of North and West to appear in arms. Goffraidh O'Donnell marched south, levelled Cael-uisce, defeated the English at Credran in Carbury, burned Sligo, and returned in triumph. But he had been badly wounded at Credran, and before he could recover Brian O'Neill appeared in Tír Conaill demanding homage. The wounded O'Donnell, borne on a litter, met him on the Súiligh near Letterkenny, and routed the O'Neills, but died of his wounds after the battle (1258).

In Thomond Conor Rua O'Brien, hard pressed by Norman grants, sent his clerk, Matthew, to Henry with generous offers of money and rent, to have the land of Thomond, but the King higgled, said he must first see Donnchad Carbrech's patent of 1199, and so the long-patient O'Briens joined the Munster confederacy of 1257 under Conor's gallant son, Taig of Cael-uisce.[2] But Taig died in 1259, Conor himself in 1268, and Brian Rua, son of Conor, succeeded.

The fortunes of Tyrconnell were now suddenly

[1] W. F. Butler *Lordship of MacCarthy Mor* and *Pedigree and Succession of MacCarthy Mór*, R.S.A.I., 1906-1907, and June 1921.
[2] For Conor's offer, *C.D.I.* II. No. 273.

restored. Donal Óg O'Donnell, Goffraidh's younger brother, had been reared in Scotland, and married there a lady of the Clann Suibhne. He now appeared in Tír Conaill (1258), attended by a force of Scottish *gallóglaigh* (" foreign soldiery "), under the command of his father-in-law, Eoin MacSweeney. The young hero was greeted with delight by the orphaned Cenel Conaill : he boldly refused homage to O'Neill, and entered at once on a career of conquest which before his death in 1281 made him, according to the Annals " Lord of Brefni, Fermanagh, and a large part of the Gael of Connacht." By a second marriage, with a lady of the Clan Sorley or MacDonnells, Donal Òg still further allied himself with these Scottish *condottieri* whose forces made his victories possible.[1]

The king of Tír Eoghain and his under-kings were now responsible to the Seneschal of Lord Edward in Ulster, and had to meet the Crown's demands for aids and pay rents and fines for trespasses. Thus in 1259 Brian O'Neill owed £100 for an aid for the King in Gascony, and some £800, reckoned in cattle, for a trespass—possibly a raid on English land—for arrears of rent of Cenel Eoghain, and other debts. Seven other chiefs of Eastern Ulster were also heavily in debt. Yet though taxed, fined and summoned to war as tenants of King and Earl, they had never been given the secure and hereditary status of tenants-in-chief.[2] Deeply resentful, the time for revolt seemed come : now that FitzGerald's encircling campaign had failed, and there was no more a Lacy Earl of Ulster. Brian

[1] Rev. Paul Walsh in his edition of the 16th century, *Leabhar Chlainne Suibhne* (" Book of the MacSweenys "), p. xvii., gives the following pedigree :—Donal Óg O'Donnell married (1) Catriona MacSuibhne (2) a daughter of MacDomhnaill, and had sons (1) Aedh (2) Turloch. This supplements Dr. Orpen's full *Pedigree of Maic Somhairle* in his vol. III. p. 252 and see also later here. Dr. Orpen omits the MacSweeny marriage (III. p. 237.)

[2] *Ulster Arch. Soc. Journal*, 1855, p. 155, and *Facs. Nat. MSS. Part II. Plate* 73. Brian owed 1,000 cows for trespass, and 3,092 for a fine made with the Justiciar (probably to have Cenel Eoghain), and 400 for arrears of rent of ' Keneleun.' These cows reckoned in money came to £748 2s. 3d. The O'Flynns of Hy Tuirtre (Antrim), Magennis, MacCartan, O'Kerny and three others, owed in fines 1551 cows.

O'Neill therefore brought together a great Irish confederacy. In 1258 Aedh O'Conor and Taig, son of Conor O'Brien king of Thomond, came to O'Neill at Cael-uisce on the Erne, and O'Conor acknowledged Brian's right to the Kingdom of Ireland, receiving in return the overlordship of Brefni. With some hesitation, Taig O'Brien also recognised O'Neill as King of Ireland, and thus an imposing array of North and West united to restore the Gaelic monarchy of a century ago.

In the next year Aedh O'Conor married at Derry the daughter of Dugall, the chief of Clan Sorley, and got as part of her dower eight score Scottish *gallóglaigh*, who entered into his service.

The Irish confederacy had soon to put itself to the test. Early in May 1260 O'Neill, along with Aedh O'Conor and a Connacht army, and several Ulster chiefs, of whom the O'Cahans played the noblest part, marched on Downpatrick the capital of the English earldom. O'Donnell had not joined them, nor the O'Briens, for Taig was dead, nor, it would seem, were the Clan Sorley there. The Irish host was formidable in numbers and in courage, but ill-fitted to meet the mailed horse, men, and archers of the Englishry.

A hastily-assembled force drawn from the colonists of East Ulster under the Prior of St. Thomas at Down, a knight, Roger D'Auters, and Roger le Tayllur, mayor of the city, met the Irish kings at Drumderg, outside Down, and a desperate fight was waged which ended at last in the victory of the Englishry, on May 14, 1260.

But though Norman arms prevailed once more, the determined spirit of the Irish was displayed in the heavy losses among their leaders. Brian himself (ever afterwards called "Brian of the Battle of Down") fell with many Ulster chiefs, and the O'Cahans paid for the post of honour by the death of fifteen of their leading men. Aedh O'Conor survived the battle, but eight chiefs of Connacht fell.[1]

[1] *C.D.I.* II., p. 107 and No. 661. As a reward, the city of Down had certain Crown debts cancelled, in order to enclose their vill, and

Thus ended in apparent failure the first attempt since the Conquest to restore the Ard Rí-ship. Aedh Buidhe ("the yellow"), son of Donal slain in 1235, took Brian's place as chief of the O'Neills. Meanwhile O'Donnell at least came well out of the fight. Maurice FitzGerald at his death in 1257 had left to his heirs the "seven theods of Tyrconnel," but it was an empty bequest, for not only did Donal Óg secure Tír Conaill to his race, but ultimately FitzGerald's own fiefs of Fermanagh and Sligo passed under the O'Donnells.[1]

The successful, if selfish, hostings of the O'Donnells had lasting results. In one corner of Ireland the forward movement had been that of the Irish. As FitzGerald saw, had the North-west fallen to the Normans, all Connacht and Ulster would have followed it. What actually befell was the first failure to subject a great Irish state, and Desmond, Thomond and Tír Eoghain within a century followed Tír Conaill.

The recovery of the Irish became possible through an imported professional soldiery. In most encounters up to that of Down the native army was one of light-armed amateurs. The stiffening of their ranks by Scottish mercenaries finally annulled the advantages which the Normans had had since Strongbow. The isles and coasts of Scotland were the home of that mixed Norse-Gaelic race which the Irish called "Gall-Gaedhil" (from whom Galloway takes its name) who

Roger 'de Altaribus' got an estate in fee. Pipe Roll, 45, H. III. records the raising of the colonial forces of Louth and Down. The epic of the battle is commemorated in two of the most truly poetic bardic poems in mediæval Irish, viz., one by Gillabride MacCommidhe, Brian's bard, upon his dead master, and another by Ferghal Mac an Bháird, on the O'Cahans (both ed. O'Donovan in Miscellany of the Celtic Society). One of MacCommidhe's verses says:—

> Unequal they came to the battle,
> The Foreigners and the race of Tara;
> Fine linen shirts on the race of Conn,
> The Foreigners one mass of iron.

Ferghal conceives his dead master, O'Cahan, as having been taken away by a fairy mistress to the hill-mounds of the Sidhe.

[1] Maurice's grand-daughter, Amabilia finally gave her Sligo, Tyrconnell, and Fermanagh lands to John FitzThomas of Offaly, first Earl of Kildare.

added to the natural bravery of the Gael the fighting blood, the love of the sea, the weapons of the Norseman. Men of great bulk and stature, they fought in heavy mail, with long two-headed axes, and in the infantry formation of the vikings. The fall of De Courcy and then the extinction of the Lacys, natural watchers of the Irish coast, allowed them to beach their war-galleys safely on the Ulster shore and to offer their services for pay and land to the Gaelic chiefs. Known to the Irish as " Gall-óglaich," " foreign " or " Norse warriors," by the beginning of the next century the " gallowglass " had become an essential part of the native order, the Janissaries of Gaelic Ireland, and till the battle of Kinsale remained the one part of an Irish army which could be trusted to stand its ground to the end.

The first marshals and *condottieri* of these gallo-glasses were two unconnected families : the Clan Sorley or MacDonnells and the MacSweeneys. The race of Somerled had already since 1200 been haunting the Irish coast. In 1267 the Ulster Annals record that Murchad MacSuibhne was taken prisoner by Donal, son of Manus O'Conor, and handed over to Walter de Burgo, Earl of Ulster, who put him to death. This was the first of a line of hired captains who became even more famous than Clandonnell. Grandson of a Suibhne of Castlesween in Cantire of 1200, Murchad's mother was daughter of Turloch O'Conor, another instance of the diplomatic marriages Irish kings were making with these esteemed captains.[1]

[1] See *Leabhar Chlainne Suibhne op. cit.* for the MacSweeney clan, and Eoin MacNeill *Chapters of Hebridean History,* Scottish Review, 1916, p. 254-76. Eoin MacSuibhne, nephew of Murchadh, slain in 1267, was first of his race to settle in Tyrconnell, by invitation of Donal Óg O'Donnell his son-in-law, where he drove out the O'Breslins, 1261, and became chief of Fanad, whence in time the MacSweenys branched into the three stocks of MacSuibhne Fanad, Bannagh and Doe (na dTuath). The Lord Deputy St. Leger described the *galloglaigh* thus in a despatch to Henry VIII. in 1543 (State Papers III. p. 444). " They, the Irish, have but one sort of footemen which be harnessed in mayle and bassinettes, having every man of them his weapon called a sparre moche like the axe of the Towre, and they be named galloglasse, and for the most part their boys have for them three dartes apiece, which dartes they throwe or (ere) they come to the handstripe—these sort of men be those that do not lightly abandon the fielde, but byde the brunte to the deathe."

The MacDonnells or Clan Sorley later made their fortunes in Antrim and hired their arms to O'Neills and neighbouring chiefs; the MacSweenys became O'Donnell's right-hand men.

Felim O'Conor had not openly declared himself when his son Aedh joined O'Neill. but both had reason to fear the vengeance of the English. In spite of an appeal by Felim to King Henry complaining of the aggressions of Walter de Burgo, the latter launched an army against the O'Conors in 1262, until, after a war of general devastation, Felim and Aedh submitted to terms, and four cantreds, Moy Ai, Tri Tuatha, Tir Many, and Moylurg, were left to Felim at rent for a fine of 5,000 marks. Felim thus saved a remnant of his kingdom. Henceforth Aedh was the real O'Conor and Felim himself died in 1265. His effigied tomb in the Dominican friary at Roscommon and his silver seal, still extant, show Felim to us as the new type of Irish leader, chief rather than king, adapting himself to Norman custom, and in war and diplomacy not much inferior to the conquerors.[1]

Disappointed in the hope of a native Ard Rí, certain leaders of the native race bethought them of a foreign saviour, of a race long familiar to them. In 1263 Haakon, King of Norway, was lying with his fleet off the Hebrides, which Alexander III. aimed at annexing to Scotland. While there, messages came to him from Ireland that the Irish offered to come under his power, and that they needed much that he should free them from the thraldom which the English had laid on them, "for that they then held the best towns along the sea." Later as Haakon lay in the Clyde the envoys he had sent to Ireland to discuss terms returned to say that the Irish would keep his host all the winter, if he would free them from the English. But before the matter went further Haakon suffered a repulse at the hands of the Scots at Largs which lost

[1] *C.D.I.* II., p. 114 and No. 713 and 35, Rep. D.K., p. 44. For hi seal see end of this chapter.

the Hebrides to Norway, and died later in that year in the Orkneys (December 1263).[1] Henceforth no Viking fleet appeared either to threaten or to save that "Westland" which the Norsemen had known so well for four centuries. Haakon's death had one result of interest to us. The MacDonnells, descendants of Sumerlidi, Lords of the Hebrides, henceforth ruled the Isles till nearly 1500, free of vassalage to Norway and with scant regard to the King of Scots.

This second failure threw the Irish back upon themselves; the fight became again a sectional one; and now the revival of the Ulster Earldom threatened the Ulster chiefs with that grasping and tenacious De Burgo power which had almost submerged the chiefs of Connacht.

In 1254 Henry III. granted to his son Edward, then aged fifteen, on the occasion of his marriage, the Lordship of Ireland. The grant was made to "Lord Edward and his heirs being Kings of England, so however that the land of Ireland shall never be separated from the Crown of England."[2] The wording forbade that any younger son of Edward should ever found a separate line here. It was probably Henry's intention that his heir should come in person to rule his Irish Lordship. But the youth of the prince, and the baronial revolts at home, kept this one hope of royalty at his father's side, and neither as prince nor as King did Edward set foot here.

Of necessity both power and privilege were squandered on the Norman *conquistadors*. Lord Edward in 1299 granted Decies and Desmond to John FitzThomas. In 1264, he gave the vacant Earldom of Ulster to Walter de Burgo.[3]

[1] *Hakonarsaga* ed. Dasent (Rolls Series). *Ann. Ult.*, 1263, say the time of his death, 'Ebdon," King of Norway was coming to Ireland. The remark of the Irish (probably the northern chiefs), "that they, the Irish, then held the best towns along the sea," seems to mean that as the earldom of Ulster was in abeyance, and the Clan Sorley, etc., had easy sailing to and fro with the northern coast, the Irish controlled the ports where Haakon might land.

[2] *C.D.I.*, II., p. 415, Gilbert *Hist. Docs.*, p. 135.

[3] *C.D.I.*, II., No. 860, 1520 and 1548. Dr. Orpen II. p. 266, refutes

As the claims of the Earldom covered the whole province, the yet unconquered chiefs felt the same resentment and fear that the Munster chiefs felt when a Geraldine was interposed between themselves and the English Crown. Every advance made by the feudal buccaneers meant a *diminutio capitis* for this proud native nobility which had in 1170 and later made homage to the King, but to the King alone.

Meanwhile Englishmen of little rank and no account filled the meaningless office of viceroy from 1256 to 1267, without dignity to themselves or profit to Ireland.

On May 14, 1264, Lewes was fought; for a year the King of England and his son were captives of De Montfort; and the masterless barons of Ireland filled the interval with their dreary feuds. Angered by the grant of Ulster to De Burgo, who was his rival in Connacht, and now become his overlord in Ulster, Maurice FitzGerald, head of the Connacht Geraldines, entered on open war with De Burgo, and when the Justiciar, De la Rochelle, interfered, seized him at a conference at Castledermot, and for a time kept the King's representative prisoner.

Even the Irish showed more unity and energy than the Normans. Aedh O'Conor and O'Donnell united their gallóglach forces to level the Geraldine strongholds of Sligo and Banada, and harass the Welsh settlers of Mayo. Aedh O'Neill, who was married to an Anglo-Irish lady, Eleanor *de Angulo* or "Costello," a cousin of the new Earl of Ulster, openly assumed the title of "King of all the Irish of Ireland." [1]

the long-established legend that De Burgo got Ulster through marriage with the daughter and heir of Hugh de Lacy. No such marriage can be traced, and Walter's wife was Avelina, daughter of John Fitz-Geoffrey.

[1] *C.D.I.*, I., No. 1840—it is dated conjecturally 1230, but obviously refers to this Aedh, and not the earlier Aedh, who died 1230 (see p. 166.) Orpen III. p. 285: Eleanor was daughter of Milo 'MacCostello,' who married a daughter of Hugh de Lacy, Earl of Ulster. Aedh Buidhe's son Donal, afterwards King of Cenel Eoghain, was thus half Norman.

Robert d'Ufford, an Englishman, made Justiciar in 1267, at last threw some energy into affairs, rebuilt Sligo, and began a new castle at Roscommon. In 1270 he joined all his forces to those of Walter de Burgo, and the joint army marched through Roscommon to Carrick-on-Shannon, only to meet at the ford of Ath-an-Chip a defeat as disastrous to the English as that of Callann itself. Aedh O'Conor, who had with him Turloch O'Brien, made such a sudden onslaught "that in an instant nine of the chiefest of the English were killed," and in the rout the defeated abandoned a hundred war horses. "No greater defeat had been given to the Foreigners of Ireland up to that time," say the Annals of Ulster, and we may suppose it was won by Aedh's Scottish *gallóglaigh*, who for the first time outmatched the long-dreaded Norman horse and archery.[1]

While De Burgo and the viceroy escaped with difficulty from the field, Aedh turned against those castles which the Irish feared more than armies, and Roscommon, Sligo, and other English strongholds went down before O'Donnell and himself.

In 1271, and not long after his defeat, Walter de Burgo died in his castle of Galway, and as he was but forty, it is clear that his broken pride made him indifferent to life. His son Richard, who did not come of age till 1280, was left heir to the Earldom of Ulster and the Lordship of Connacht.

The victor of Ath-an-chip at least ended his days triumphantly, though the colonists were now too rooted in Connacht to be generally expelled. Aedh O'Conor died in 1274, "the man most feared and most victorious in Ireland," says the Annals of Ulster, a fitting tribute to a warrior who had triumphed over the Normans as

[1] See, for the battle, a vivid account in *Ann. Clon.*, also *Ann Ult.* Clyn says of De Burgo *vix eo fugæ presido salvante.* Aedh O'Connor took William Og, brother of Earl Walter, prisoner, during a truce, and then slew him afterwards, because the Earl had killed in single and fair fight, it would seem, Turloch O'Brien, when he attacked the English army.

decisively at Ath-an-chip as the MacCarthys had done at Callann.[1]

Thus ended for a time the war of Gael and Norman. In spite of the greater success of the Irish in arms the English hold on Connacht, Munster, and Ulster was not seriously shattered, but on the other hand the design of a general Norman conquest, which had its best chance in this reign, suffered an irrevocable defeat.

It is noticeable that the Irish of Meath and Leinster, the two most planted provinces, took little part in the war. Cormac MacArt O'Melachlin, who died in 1239, had left a son, Art, who inflicted, it appears, a great defeat on the English at the Brosna river in 1264, and burned "all the castles and street towns of the English in Delvin mcCoghlan, Brawnye and Calrie, and banished the Englishmen out of them all."[2] The Tuits and other colonists were able to hold down the races of Westmeath, but the frontier was in constant danger.

In the North the death of De Burgo and the minority of his son gave the Ulster chiefs a chance once more to approach that suzerain which they felt it no dishonour to obey, while as *saer-chlanna* of the proudest blood they resented subjection to mesne lords. In 1272 the Justiciar, De Audeley, reported that O'Neill, MacMahon, O'Cahan, and other Irish chiefs have come into the King's peace, and that he has presented them with scarlet robes and ermine furs. This was just before Edward I.'s accession, and the kings continued their loyal submission into his reign. In 1272-3 there was an affray in the North between FitzWarin, the Seneschal of Ulster, and the Mandevills, who resisted his levying

[1] *C.D.I.*, II., 49, H. III., p.775. Aedh (Odo), in praying the King's licence for the bishop, elected by the dean and chapter of Achonry, calls himself *Rex Connactie.*

[2] For the central races for Leinster, *Ann. Clon.* and Clyn & Dowling's Annals are the best authorities. See *C.D.I.*, I., No. 1840 *op. cit.*—referring to 1259-1272, when Fromund le Brun was Chancellor, where the writer (name illegible) says he has striven to bring to the King's peace *inter alios*, "Arth O'Nanaulin, King of Delvennya"—clearly a corrupt version of Art O'Melachlin, King of Delvin.

Crown dues, and had to be put down by force. The mayor of Carrickfergus having charged Aedh O'Neill and other kings of Eastern Ulster with abetting the rebels, these chiefs wrote to Edward that in fact they had aided the Seneschal against the rebels, and prayed the King not to listen to charges made against them in the Council and elsewhere, but to confide in his Seneschal, whom they will obey.[1]

Thus ended in a drawn fight the first armed resurgence of the Gaelic race since the Invasion. Their chiefs, forsaking the old order, now had their castles and their hired troops, and made treaties and marriage alliances with the Norman barons, on whom they modelled themselves. They had learned the whole art of diplomacy, and used heraldic seals and devices of their own.[2] But though they styled themselves *Rex* and *Dux*, they were in fact much less sovereign than Cathal Crovderg or Donnchad O'Brien had been in their province-kingdoms, and found it hard to maintain themselves even in their demesne lands.

In spite of a few feeble injunctions and concessions, the long reign of Henry III. had failed to bring the Irish under one equal law with the colonists, and Henry, dying in November 1272, left the whole problem of Ireland still unsolved to his son, Edward.

[1] *C.D.I.*, II., p. 148—Account of De Audeley, formerly Justiciar of Ireland, from 1270 to 1272. *Ibid*, Nos. 952-3. The chiefs who wrote to Edward were Aedh O'Neill, "King of Kinel Owen," Cumidhe O'Cahan, "King of Ciannacht," MacDonlevy, "King of the Irish of Ulster (Ulidia)," O'Flynn, "King of the Tuirtre," O'Hanlon, "King of Oriel," MacGilmori, "King of Anderken," and MacCartan, "King of Onelich."

[2] See E. C. R. Armstrong *When Heraldry was adopted by the Irish Chiefs*, R.S.A.I., 1913, also Ulster Arch Soc., 1853, p. 225—and Petrie in *Irish Penny Journal*, 1840-1, p. 35, who gives seals of seven Kings including Felim O'Conor, d. 1265. Donal MacCarthy, King of Desmond (d.1303), Brian Rua O'Brien and Brian *Rex Kenel Eoghain* had seals which still exist. That of the latter, Brian O'Neill, killed at Down, 1260, shows a horseman in armour with flat helmet, sword and shield, and uncertain heraldic device.

CHAPTER VII

THE ENGLISH LORDSHIP AT ITS HEIGHT, 1272-1310

THE reign of Edward the First gave Monarchy a decisive triumph over Feudalism : in Ireland the same end was pursued, but only to show that the feudal magnates were the true lords of Ireland.

The greatest of these, Richard de Burgo, known to history as the Red Earl, was yet a boy, but when he came of age in 1280 he inherited Connacht and Ulster, and a wide territory in east Limerick and in north and central Tipperary, ringed round the lordship of Castleconnell. The Red Earl was the true type of the Norman of Ireland as history was moulding it, already half-Celtic, bent entirely on land and lordship, and sparing no means, whether of force, persuasion, craft, or princely concession, to bring under him the Gael, the Norman, and the English of two vast provinces. No English King or viceroy could tell of this dissembling and imposing man whether he was an English baron or an Irish chief ; and De Burgo himself, whose great-great-grandsire was Donal Mór O'Brien and who spoke the language of his Irish vassals, played the double game with untiring skill for fifty years.

Destined to be almost as great was another young lord, namely, John FitzThomas of Kildare. John was the son of Thomas, the youngest son of that Maurice FitzGerald, second baron of Offaly, who died in 1257; and the true head of the family, or *capitaneus Geraldinorum,* as Clyn calls him, was Gerald, fourth baron, great-grandson of Maurice ; but one after another the whole Leinster, Connacht, and Ulster lands of the Geraldines became united in this John FitzThomas, to whom in 1287 Gerald of Offaly, dying without sons

left his lands and title, to whom his cousin, Lady Amabilla, daughter of Maurice, son of the second baron, bequeathed the Connacht inheritance, and who finally ended as Earl of Kildare.

The head of the Munster Geraldines, Thomas "an Apa," was also a youth who did not come of age till 1282, but one cousin, Maurice, Lord of Kerry, whose seat was at Lixnaw, and another, Gilbert, son of John "of Callann," held the Desmond Lordship together.[1] Nothing could better illustrate the mingled Irish and English tenures, knightly, free, rent-paying, and servile; the vast, half-organised extent, the mixture of towns castles, manors, cantreds, feudal and Gaelic regalities which made up a great Anglo-Irish lordship than the lands of this Thomas "an Apa" as revealed by Inquisitions in 1282 and at his death in 1298.

Among other estates he had in Decies three and a half cantreds, the lands of Dungarvan, the lands of Comeragh, and the Irish districts of Oveagh and Obride. In the three and a half cantreds there are sixteen free and knightly tenants, English and Norman; eighteen farmers, or leaseholders, between them rent some twelve thousand acres; on the lands of Dungarvan "the Irish hold seven carucates at Balyacherne," and Oveagh and Obride contain numerous Irish. "The vill of the Ostmen near Waterford" pays rent, and an Ostman freeholder, William Macgillemory, holds a carucate and a half at Dutlagh near Dungarvan. The burgesses of Dungarvan pay the large rent of nearly fourteen pounds. In Thomond the thirteen vills in Corcomrua and the cantred and a half about Killaloe were already gone in 1282 "because of the war of the Irish." In Limerick there is "a cantred in Connello called Shanid" with eighteen free tenants, and "lands of the Irish" paying rent. Also a cantred at Aylly, and a manor or *tuath* with burgesses at Glenogra. The great manors of

[1] John of "Callann" married secondly Honora, daughter of O'Conor Kerry, and their son, Gilbert, whose son Maurice was first White Knight, founded the Fitzgibbons of Kilmallock, Knocklong, etc. See *R.S.A.I.*, 1876.

Newcastle and Killeedy contain numerous free, betagh, and cottier tenants. He had the sergeanty of the Irish districts of Obathan and Corcahide "with perquisites of court as well of English as of Irish." In central Kerry he had Aicme Ciarraighe with its centre at Castleisland "most of it destroyed by the war of the Irish," with half a cantred at Molahiffe and a manor at Maynwyr, where among several Irish gavellers or renters are William O'Moriarty—whose ancestors had been Lords of Loch Léin—and his "sequel" or following. The manor of Killorglin in Kerry covered the level land between Killarney and the Maine; and that of Inch covered the Corcaguiney peninsula and included "a vill at Tralee" paying five pounds rent per annum, but "some of it lies waste among the Irish." In Cork he had *inter alia* the manor of Mallow, but "the land of Corkely [Corca Laidhe in the south-west of the county] cannot be extended on account of the Irish." Thomas had also the hereditary sheriffdom of three counties, Cork, Waterford, and Kerry.[1]

The Inquisitions give us an identical picture of the Butler Lordship in Ormond under Theobald the fourth, who died in 1285. In Kilkenny he was only tenant of lands about Gowran under the Earl of Gloucester, Lord of that Liberty, but in Tipperary he was as supreme, save for the Burgo manors, as FitzGerald was in Kildare or Limerick, and even in Ossory the absenteeism of his overlord made him the chief of the local magnates. Everything favoured the First Families who had struck root in Ireland and meant to stay there, whom an Absentee Crown could not control, and who steadily added to their lands the rich fiefs of absent or extinct Fitzhenrys, Mariscos, Worcesters, De Valognes, and the rest.

The Lord of Trim or Eastern Meath was Geoffrey de Geynville; of Lochsewdy or Western Meath, Theobald, son of John de Verdun.

The true points of policy for Edward were obviously

[1] *C. D. I.*, II., No. 1912, and IV., No. 551.

to create a real government in Dublin whose orders would be obeyed throughout the island; to bridle or abolish the Liberties; and to end the race-war by giving the Gaelic chiefs legal status under the Crown and confirming to the Irish "*inter anglicos*" the benefits of royal law.

That Edward understood these necessities and aimed at this policy seems clear. This legal-minded King had beyond the Severn a situation very like that of Ireland, and when by the Statute of Rhuddlan in 1284, he imposed English law on the annexed Principality of Wales, leaving to the Welsh many of their Celtic customs, he made a settlement which was no bad model for his Irish Lordship.

But on the whole he was badly served in Ireland. Few of his English viceroys dared to act the whole Poyning or Wentworth in the teeth of an unbroken baronial interest, and even when they put what was undoubtedly the King's will into effect, seized Liberties and annulled vested abuses, Edward, advised from Dublin, too often declared it was not his will. Nothing, however, but a royal visit could have effected a general reform, and such a visit was not paid.

Edward, to his credit, did attempt to enfranchise the older race, but well-meaning fiats were powerless against the rooted determination of the Anglo-Irish, without whose assent in Parliament nothing could be done, to keep the Irish and their lands as the due preserve of the conquerors.

Indeed, the Anglo-Irish officials were little better. In 1285 one of these drew up a memorandum showing that it was expedient for the King that no Irishman should ever be archbishop or bishop "because they preach against the King and provide Irishmen to their churches so that an election of bishops might be made to maintain their language. Similarly the Dominicans and Franciscans make much of the language." Edward, however, repelled the unworthy suggestion.[1]

[1] *C. D. I.*, III., p. 10.

For four years, from 1272 to 1276, King Edward was represented successively in Ireland by two Anglo-Irish Justiciars, viz., Maurice, a son of the second baron of Offaly, and next by Geoffrey de Geynville, lord of Trim.

It was unlikely that men so interested in the conquest of Ireland would promote its peace, and it was not long till a fresh Irish resurgence manifested itself, in which two areas were especially affected.

As long as the Marshals maintained the Earldom of Leinster, its Irish population had accepted their not unkindly rule, and even under such absentees as the Bigod lords of Carlow, peace had continued. But Strongbow's earlier tradition faded and the newer tradition was less favourable to those Irish who had been Strongbow's allies or had sworn homage to him and his heirs. Moreover, the spectacle of four of the five Liberties of Leinster gone derelict under absentee aliens could not but evoke the memory of those Gaelic lordships whose heirs still existed, and in a broken fashion maintained the old-Irish chieftainships.

The natural leaders of the Leinster Irish were the descendants of Dermot "*nutu Dei Rex Laginensium.*" So far Donal Kavanagh's heirs had been tenants and officers of the Marshals in Carlow, but when the direct heirs of Strongbow and Eva MacMurchada expired, the tradition that MacMurchada was the true Lord of Leinster was bound to revive.

About the year 1280 we find Art "MacMurgh" in receipt of an annual fee from his kinsman, Roger Bigod, Lord of Carlow, while his brother, Murchertach or "Moriardagh," enjoys a smaller fee.[1] An imposing number of native chiefs looked to the Kavanaghs as

[1] Inquis. on Bigod's lands (1279-94), *Just. Rolls*, II., p. 346: Art received £13⅓ p.a., Murchertach £1 13s. 4d. p.a. The *Laud MS. Annals in Chart. St. Mary's*, II., p. 318, call "Morydagh" chief in 1275, and O'Clery's *Pedigrees* make him the elder. Bigod's Seneschal must have favoured Art and made him "Seneschal of the Irish" like his ancestor, Donal Kavanagh. The Kinsellas were descended from Enna, a younger son of King Dermot, and Mac Daibhi Mhóir from Murchad "na nGaedheal," his brother.

their lawful head. Such were the Kinsellas, MacDamores, and O'Murchadas of Wexford, the O'Nolans of Forth, the O'Ryans of Idrone, and the O'Byrnes and O'Tooles of Wicklow. O'Byrne (O Broin) represented the Ui Faelain, driven from Kildare to Glenmalure and the mountains, while O'Toole, now located about Imaal, represented Gillacomgaill, last king of the Ui Muiredaig, who died in 1176. These had accepted land and tenure under the English Crown and the See of Dublin, but before long the old Irish title was re-assumed, as by Aedh O'Tuathail, Lord of Imaal, who died in 1376.

All these were south of Liffey and east of Barrow. But O'Conor of Offaly—with his sub-kings, O'Dimusaigh of Clanmaeliúra and O'Dunn of Iregan—and O'More of Leix had formerly obeyed MacMurchada and were ready to do so again, though for the time the English colonies along these rivers had severed them from their old suzerain.

But many of the Irish still looked to the Crown for redress. A new reign kindled hope, and the "community of the Irish" therefore made a general request for English liberties through Edward's Justiciar, the Englishman, Robert D'Ufford, who was appointed in June 1276, accompanying it with an offer of eight thousand marks. Edward let the question hang fire, hoping to receive a higher sum and a contingent of infantry from the Irish, but in 1279 informed D'Ufford that it seemed meet to him and the Council of England that such a grant of English laws should be made because the Irish laws were "detestable to God and so diverse from all law as not worthy to be called laws at all." He then bade his Deputy summon the peers, prelates, and others of Ireland to consider whether the laws of England might be extended as desired. There the matter ended, for the Anglo-Irish oligarchy apparently would not have it, and Edward, who brooked resistance ill in England, stomached it from his Irish barons.

Thus did the Governor and the Anglo-Irish shelve

the emancipation question. The King and Council of England had willed it, but more than good-will was needed to enforce it.[1]

Instead of a general and generous enfranchisement a peddling subterfuge was adopted, and grants of English liberty, purchased with money, were made to families and individuals, especially to those Irish, free or bond, who dwelt *inter anglicos*. The records contain numbers of such acts of denization, but the unrecorded numbers were apparently great, if we can believe that Edward made three thousand pounds in a short period over such transactions. It is probable that by this method considerable numbers of the richer Irish in the "English land" redeemed themselves from "Irish servitude," and that after a generation or two the freed Irish were numerous in the East and South.[2]

Meanwhile the mountain fastnesses of Glenmalure became the retreat of the fighting forces of North Leinster, who owned Murchertach MacMurchada as King. In 1274 the first of many expeditions against this stronghold, led by FitzRoger, Prior of the Hospitallers, was overthrown there, and a second attempt in 1276 under the Justiciar, Geoffrey de Geynville, who contributed two thousand men from Meath alone, was also repulsed in this narrow and dangerous defile, which remained the stronghold of the O'Byrnes for centuries.

[1] Orpen, IV., p. 22, relying on the fact that D'Ufford's report, (*C. D. I.*, II., No. 1400) speaks of the Irish of Glenmalure and then goes on to the request for English law, assumes it was only a local one made by the Irish of Wicklow. A request, however, made by the "Community of Ireland" and backed by so large a sum, and so seriously considered by the King, must surely have been made by a much larger section of the Irish, possibly all Munster and Leinster, if not agents acting for all Ireland.

[2] See grants to Hugh Kent and Robert de Bree (*C. D. I.*, III., p. 525 and No. 924). In the case of the former, *circa* 1290, King Edward in his Great Council at London declared that all who demanded this grant of English laws should have them. *C. D. I.*, III., p. 290 (1290) makes the statement that the King gained £3,000 "in one day" by issue of charters of liberty—probably this means that an accumulated sum from several years was sent to him, representing thousands of such enfranchisements. But it was easier to decree than to make the colonists observe, and in 1321 (*Cal. Pat. Rolls*, 1321, p. 563) a royal patent re-affirmed to such Irishmen the English law of life and limb which the colonists refused to them

A treacherous crime embittered the race-war. Roger Bigod, Earl of Norfolk and Lord of Carlow, got a safe-conduct from the Crown for "Art MacMurch and Caruel Alfortien, Irishmen and kinsmen of the Earl," to come to him in England, but Art got no further on his journey than Arklow, early in 1282, when the English of that port, who could not endure to see an Irish guerilla chief on their streets, rose and slew him.

Bigod, who was with the King at Conway on his Welsh war, complained bitterly to his sovereign, not only of this, but also that the Justiciar, Stephen, bishop of Waterford, had fined him a hundred marks for the "decapitation of Art MacMorhod, who was at peace with the King," and that this was against the Earl's Liberty of Carlow, for according to custom, Art had not been proclaimed with the consent of the Earl and his freemen.[1]

Nothing could better illustrate the feudal mind and the character of the English dominion. Bigod was certainly angry that his Irish kinsman and vassal had been unjustly slain, but still more that his right to do as he wished with his own had been violated. On the other hand the Justiciar fined him for the wrong to MacMurchada, but was much more concerned in attacking feudal rights. Neither of them considered the rights of Art and his race of much account.

The Leinster war flickered for many years, till in 1295 Sir Thomas FitzMaurice of Desmond, "Custos" of Ireland, entered into terms with the insurgents, and "Mauritius macMuryarthi MacMurchoth" (i.e. Murchad son of Murchertach), with all his nation and following,

[1] *Laud MS. Annals*, p. 318. *Ann. Clon.*, 1276. *C. D. I.*, II., p. 267. Possibly Murchertach was with his brother Art at Arklow. "Interfectus est (*sic*) Moritagh et Arte MacMurgh frater ejus apud Arklowe in Vig. S. Marie Magdalene, 1282" (*Laud, Annals*). *Ann. Ult.*, 1282, say, "Muirchertach MacMurchadha, king of Leinster, and his brother Art were slain by the Foreigners." *D. C. I.*, II., No. 1919 (Bigod's complaint to King Edward), however, only names Art as having been killed at Arklow. *C. D. I.*, II., No. 1873, safe conduct for Art and Caruel Alfortien (Cerbhall O'Foirtchern), Nov., 1281.

was received into the King's peace. The Justiciar and Murchad fixed their seals to the first treaty made since 1170 which recognised the MacMurchadas as potentates in Leinster, and Art, son of the Art slain in 1281, Art, son of John O'Byrne, and a son of Faelan O'Toole, were given as hostages.[1]

The events of this Irish resurgence in Leinster accompanied a strong, if invisible, tide of race-recovery.

The King, the Leinster Earls, and the Archbishop of Dublin, had annexed the whole coast and hinterland from Wexford to the Liffey, and the forest and the highlands of Dublin and Wicklow were "chase and vert" for the Crown and its tenants-in-chief. Families such as Hereford, Ridlesford, FitzGriffin, FitzRhys, and St. Michael had been richly enfeoffed in these borderlands. Now the recovery of the Irish deprived the Crown of its vast forest-lands; the O'Tooles took the place of FitzRhys, under whom they had held, in the highlands of Imaal; the Borearts vanished and the St. Michaels lost to O'Murchada the lands of Ui Feilme —the old demesne of this chief, between Enniscorthy and the sea—with which Strongbow and Theobald Walter had enfeoffed them.

There was, in addition to the pure absentees, a striking disappearance of the original families. Griffin, brother of Raymond le Gros, had been enfeoffed by the latter with lands in the barony of Forth in Carlow. But by 1250 the family had ended in an heiress, Clarice, who dispersed the family lands among her three husbands, of whom one was John FitzDermot, rightly MacGillacolmoc, by whom she had a son, John.

By 1300 the lands of the three Hereford brothers, who divided North-east Kildare between them early in the Conquest of Leinster, had all gone to Rochforts, Stauntons, and others, husbands of Hereford heiresses. It was the same fate which had overtaken the Marshals, Lacys, and other families of the highest rank.

Deprived by the Irish resurgence of the march-lands,

[1] *Just. Rolls*, I., p. 61.

the colonial families had to be content with their estates in the Avon Liffey, but even there their names dwindled and many of them have even ceased to exist by the time of the Tudors.[1]

Strategically the effect of this resurgence was to bring most of the coast from Bray to Wexford into Irish hands, and on the other side of the mountains to threaten the capital and the colonies of the Liffey and the Barrow, who held the passes into Munster.

From Leinster the war spread into the Midlands, where Cairbre O'Melachlin and Calvach O'Conor were leaders on the one side, and Richard Tuit, Lord of Granard, and Piers de Bermingham, Lord of Tethmoy, on the other.

But a still more dangerous war was kindled in Thomond. Here the grants to De Muscegros, and others to John FitzThomas of Shanid of a cantred and a half near Killaloe and thirteen vills in Corcomrua in North-west Clare, connecting with the Geraldine lordship of Dunkellin and Kiltartan in South Galway, threatened the native O'Briens with extinction. After the death of Conor Rua in 1268, Brian Rua, his remaining son, held only two cantreds in Corcomrua under the English Crown. Finally, in January 1276, King Edward conferred on Thomas de Clare, brother of Gilbert Earl of Gloucester, an ambitious man sadly in need of an earldom, "the whole land of Thomond" with the usual liberties at service of ten knights. Robert de Muscegros was bought out and retired to

[1] For the above see *Reg. St. Thomas*, pp. 102, 366; *Chart. St. Mary's*, I., pp. 29, 108; *C. D. I.*, III., p. 294; *Crede Mihi*, LIV. and p. 51. The names Hereford, FitzRhys, St. Michael, Ridlesford, are found in rolls of magnates summoned to Scotland between 1302 and 1335 (*Lib. Mun.*, pt. IV., *passim*), but I cannot find them in Tudor records. The Archbishop of Dublin had Glendaloch and much country east of it, defended by his fortress at Castlekevin, near Annamoe, and also had Coillach, a hill-tract between the sources of Liffey and Dodder. The Crown had the old Irish district called Ui Cellaigh (Okelly) to the south of Tallaght stretching across the entrance of Glenasmole, and Obrun (Ui Briuin Chualainn) and Othec (Ui Teig), stretching between them from the modern Shankill south to Newcastle McKinegan, where there was a royal castle (Hogan, *Onomasticon*). Both were naturally great losers by the Irish revival.

England, while the O'Briens were adjudged, as guilty of treason, to have no right to the land.[1]

Then came the inevitable clash between feudal law, applied with a severity to Irish chiefs which Edward would not have dared to show towards his English barons, and Irish patriarchal chieftainship.[2]

De Clare had the true Norman vigour and ruthlessness, and a succession dispute between Brian Rua and his nephew, Turloch, son of Taig of Caeluisce, Bran's elder brother, opened a way for him. Hard-pressed, Brian sent to De Clare in Cork offering him all the land between Quin and Limerick. Arriving at once, Thomas threw up a castle at Bunratty, but his foe, Turloch, was not less active, and calling in Irish auxiliaries from Galway, overthrew Brian in battle and slew his Norman ally, Patrick FitzMaurice, brother of Juliana, wife of De Clare (1277). Brian fled to Bunratty, only to be furiously blamed by Juliana for her brother's death, and in spite of De Clare's most solemn oaths of alliance, was by order of the latter barbarously done to death. It was one of the atrocities specially detailed to Pope John XXII. in 1317.

Appeased by De Clare's apologies for the murder, Donnchad, Brian's son, was induced to adhere to the Norman side, and the civil war, so profitable to De Clare, went on.

The spirit of revolt spread to the Irish of Desmond, and indeed not the least of the dangers was the prospect of a general Celtic League against the English. Thomas FitzMaurice, Lord of Kerry, writing about this time to his friend, the Bishop of Bath and Wells, whom he begs to intercede for him with the King, excuses himself

[1] *C. D. I.*, II., No. 1194, and p. 528 (September 1284), "the King having given to Thomas de Clare the lands, etc., which belonged to O'Brien, an Irishman, which had escheated to the King by O'Brien's forfeiture, etc."

[2] The story of the forty years' war in Clare is told in a remarkable prose saga, *Caithréim Toirdelbhaigh* ("The Martial Career of Turloch"), written by Séan MacCraith soon after 1364. It was prepared for publication by the late Standish Hayes O'Grady, but unhappily has not yet appeared. For a description, see Orpen, IV., pp. 67-68.

from coming to do homage to his Sovereign, now that he is of age, till Easter next for "because of the war in Wales, the Irish in parts of Ireland are more than usually elated, some have taken to hostilities and others are ready for war. The nobles of Ireland have therefore begged me to remain in Ireland." The stirring career of Llywelyn, last British Prince of Wales (1246-1282) could not but stimulate a similar Celtic reaction in Ireland, where a sister of Llywelyn had married William Gorm de Lacy, the grandson of Rury O'Conor. The tragic fall of Llywelyn, indeed, soon quenched Celtic hopes, but later risings of the Welsh had an eye towards Ireland.[1]

Richard de Burgo, now coming into possession of his huge estates, intervened to protect Turloch O'Brien, and it was clear that the sharp division of Irish and English was fading away. Finally Donnchad was slain in battle, and the premature death of Thomas de Clare in 1286 left Turloch O'Brien supreme in most of Thomond. De Clare had shown great organising skill, but his time had been too brief, and the tender age of his heir, Gilbert, who was but seven, left the whole work unachieved. For some thirty years, however, Clare was still reckoned a feudal barony and a shire.[2]

Donal Rua MacCarthy, son of Cormac Fionn, was now chief of the Irish of Desmond. In 1285 he visited Edward in person, to complain of the encroachments of the Geraldines. But when in 1292 Edward granted to Thomas "an Apa" "the land of Decies and

[1] See *Nat. Facs.*, II., Plate LXXVI., which dates Fitzmaurice's letter as 1281: but *C. D. I.*, III., p. 161, gives the date as 1287, when in fact there was a Welsh revolt under Rhys ap Maredudd. *Chancery Rolls*, 1277-1326, p. 323 (February 1289), William de Grandison, Justice in Wales, is instructed to watch lest "Rhys son of Mereduc cross over to Ireland, as is his intent."

[2] For De Clare's lands see *Cal. Inquis.*, II., 16 Ed. I., No. 696. Bunratty was in 1287 a town with 226 burgages. Among the tenants of the Manor of Bunratty was Turloch O'Brien with 7 cantreds and 16 vills at yearly rent of £121. Even after De Clare's death, the manor yielded returns to his widow and heir (£613 in four years, of which Turloch's rent was more than half.) The names of his English in Bunratty manor are strikingly English, such as Alfoun, Pippart, Kynglishan, Mailoc, Fuke, Pirun, Tumberlath.

Desmond with the homages and services of both Irish and English," MacCarthy made no such protest as that of Callann. By some sort of *condominium* with Fitzgerald, Donal was left in possession of the South-west of Munster and remained in Irish eyes King of Desmond. Donal Rua died in 1302, and was succeeded by his son, Donal Óg, whose silver seal, still existing, shows this Irish prince on horse with sword in hand, and the inscription "*sigillum Dovenaldi og fili Dovenaldi Roch Macarthi*." [1]

Meanwhile in Connacht Aedh O'Conor, of "Ath-an-Chip," had died in 1274, childless. The Clan Murchertach, sprung from a brother of Rury, the last Ard Rí, then provided Connacht with kings till 1293, when Aedh, a descendant of Cathal Crovderg, succeeded till 1309. Meanwhile a branch sprung from Brian of Luighni, a brother of Rury, established itself in Sligo. Aedh of Athankip was the last great O'Conor of his time, and for over forty years Richard, the young Earl of Ulster, was the real king of Connacht.

Under "the Red Earl" was laid deep and strong the De Burgo lordship in Mayo and Galway. His castles of Galway, Meelick, Ballymote, and Ath-an-Chorainn dominated the Corrib, Loch Derg, and the Sligo frontier.[1] The O'Conor *rig-domnas* became protégés of De Burgo or his rival, the Geraldine John FitzThomas, who held Sligo till 1299. Only three cantreds were now O'Conor's, held under the English Crown; a small inheritance compared with De Burgo's twenty-five cantreds.

[1] *C. D. I.*, II., p. 564, 1284. "Donal Rufus, lord of the Irish of Desmond, vehemently desiring to be subjected to the King's domination, sends to the King Brother Walter of Kilkenny, Reader of the Dominicans of Cashel." May, 1282, letters of protection are given to Donal, coming to the King in England. In 1288 he makes peace with John, Archbishop of Dublin, *Custos* of Ireland (*C. D. I.*, III., p. 266). The seal of his son is described in a note to O'Donovan's *F. M.*, 1302, p. 478.

[2] For his Connacht lands and the nature of his rule as illustrated by the Inquisitions on his death, see *Cal. Inquis.*, 7 Ed. III., p. 371 *seq.*, and Knox, *Anglo-Norman Occupation of Connacht*, *R. S. A. I.*, 1902-3.

Like Clare, Connacht had now become a county of the Anglo-Irish State.

The Northern Irish had fallen into two groups, dominated by Cenel Eoghain and Cenel Conaill. The O'Neills and their *urrighs*, or "under-kings," were at peace with the Crown and with the Earl. Aedh Buidhe O'Neill, king since 1260, appears in a document of 1269 as "*Odo Onel Rex Kenlean* [*Cenel Eoghain*]," a vassal of Earl Walter, and the Irish lords of Oriel and central Ulster held lordship and lands by military service of the Earl.[1]

But Donal Og O'Donnell pursued the expansion-policy of his race, and invading Tír Eoghain in 1281, was defeated and slain by Aedh O'Neill and his English allies in a desperate fight at Disert-dá-crioch, near Dungannon, where along with O'Donnell fell nineteen chiefs, his vassals, whose names support the Ulster annals when they call Donal "Lord of Fermanagh and Oriel, a great part of the Gael of Connacht and all Breffni."

Little did these dignities affect the English, to whom O'Donnell was merely an "Irish felon." His body was mutilated, and a colonist carried his head to Dublin for the sake of reward.[2]

Two years later, Aedh O'Neill himself was slain in battle by MacMahon of Oriel and O'Reilly of Brefni. Donal, son of Brian "of the Battle of Down," then put forward his claim against Brian, son of Aedh Bui, whom the Earl supported, but finally in 1295 Donal slew his rival at Craebh, and from this to 1318 was the sole O'Neill.

[1] See Orpen, III., p. 284. Aedh Bui was married to Eleanor, daughter of Milo MacCostello (de Angulo) and his wife, a daughter of Hugh de Lacy, Earl of Ulster, whose brother Walter was grandfather of Walter de Burgo. The De Burgo Inquisitions of 1333 show O'Neill, O'Cahan, MacMahon, O'Hanlon, Maguire, and other Ulster chiefs holding by military service under the Earl, probably a long-existing arrangement (Orpen, *Earldom of Ulster*, *R. S. A. I.*, 1913-15).

[2] *C. D. I.*, II., No. 2049. Stephen, bishop of Waterford, Justiciar, orders to be paid to Thomas de Mandeville what is due to him for the head of O'Donnell, which Thomas caused to be borne to the Exchequer.

In Tír Conaill succeeded Aedh O'Donnell, eldest son of the dead chief by Catriona, daughter of MacSuibhne, a captain of Scottish *gallóglaigh*, who ruled till his death in 1333. Like his father, Aedh fixed his eyes on Southern Ulster as a field for expansion, and the Red Earl favoured O'Donnell as against his Geraldine rival, FitzThomas, Lord of Sligo and claimant to Fermanagh and Tír Conaill. It is significant that the Maguire chiefs, who now appear in Fermanagh, arose as vassals of O'Donnell.[1]

On the other hand, the Red Earl aimed at extending his Ulster lordship over the whole North coast. His stronghold of Northburgh, built in 1305 at the junction of Foyle and the sea, commanded Inishowen. From MacLochlin, bishop of Derry, he secured, or rather wrested, Fahan and Inch on Loch Súiligh, and in 1311 Edward II. enfeoffed him in the city of Derry Colmcille, so that the whole coast of Ulster from Carlingford round to Fanad was his.

By 1295 the war of the two races had on the whole gone in favour of the English, But Tír Conaill was still untouched, and in Thomond an equal failure of all the grantees wrote the doom of all hopes of a final Conquest of Ireland. Here Turloch O'Brien's lieutenant, Cumidhe MacConmara, stormed and burned De Clare's great castle of Quin (1287), and when Turloch died in 1306 the stirring saga of his victories ranked him with his ancestor, Brian the Great.

In this war beyond the Shannon, the Boyne, and the Suir, almost all had been done by independent Norman *conquistadors*, and almost nothing by the Crown. But in the East the latter still commanded general allegiance, and we must turn again to Dublin.

From 1276 to 1312 a long-sustained attempt was made to bring the whole land of Ireland under the King, and a series of English-born or English-minded

[1] *Ann. Ult.*, 1302: "died Donn Maguidhir king of Firmanach viz., the first king of Firmanach of the sons of Maguidhir." *Maguidhir Fhearmanach*, ed. Dinneen, shows that at this date the Maguires were but acting lords for the O'Donnells in Fermanagh.

viceroys were sent to repair the damage done by Irish justiciars, to organise the King's land and the King's revenues, to diminish the feudal liberties, and make this realm a valuable appanage of the ever-needy English Crown.

The first of these was Robert D'Ufford, who ruled from June 1276 to November 1281; the next was Stephen de Fulburn, bishop of Waterford, who governed as Justiciar and *Custos* till his death in July 1288. In the six years, from Michaelmas 1278 to September 1284, over £30,000 came in to the Irish Exchequer, no mean sum considering how much of Ireland was Gaelic or in Liberties.[1]

A large part of this revenue came from the *Magna Custuma* on wool, wool-fells, and hides. The magnates of England assembled in Parliament in 1275 made a perpetual grant of these export duties, and Edward then induced twelve absentee Irish magnates to sign a recognisance that they had in the English Parliament granted the same for their Irish estates. In sending this cool document over, Edward requested his Justiciar to get the assent of the prelates, earls, barons, commons and merchants of Ireland. Whether any voice was raised in opposition we know not, but at all events the magnates of Ireland, without summoning the rest, made the *Custuma* a perpetual grant from Ireland also.[2]

In taxation Edward assumed the necessity of Anglo-Irish consent. But he also acted as if the laws of his English Parliament *ipso facto* bound the Irish colony, and his writ of 1285, delivered to Fulburn, ordered the Statutes of Gloucester, Mortmain, and the Second of Westminster to be proclaimed in Ireland.[3]

The *Quo Warranto* inquiry which flowed from the Statute of Gloucester was Edward's most deadly weapon

[1] *C. D. I.*, II., p. 526. The actual sum was £31,253 odd, the highest year being 1282-3, when £6,642 odd came in.

[2] Lynch, *Legal Institutions*, p. 44. The rate of the *Magna Custuma* was 6s. 8d. on each sack of wool, and 300 woolfells, and 13s. 4d. on each last (twelve dozen) of hides.

[3] Berry *Statutes*, I., pp. 47-77.

in England against feudal franchises, regalities, and liberties, and for the emancipation of the free classes from manorial jurisdictions.

Edward's governors made a gallant attempt to achieve a like result in Ireland, and had they been backed consistently, the Lordship of Ireland might have escaped its final fate of feudal disintegration. But Edward wavered, ill-advised or unadvised, and fearing to lose Ireland altogether through the resentment of that baronage to whom Ireland had been handed for a prey. Thus when in 1282 Fulburn held his court in Bigod's land of Carlow on the ground that the four pleas of the Crown there belonged to the King, the Earl Marshal's protest moved Edward to order his viceroy to do nothing against the Earl's liberties.[1]

John de Sanford, archbishop of Dublin, who governed from 1288 to 1290, had been trained as an itinerant justice. A contemporary record outlines for us the journeys and activities of this episcopal viceroy, now while the mediaeval Lordship of Ireland was at its apogee.

On the death of the Justiciar Stephen, July 1288, the Irish Council elected Sanford as *Custos*, and in May 1290 they sent a justification and eulogy of his conduct to the King.[2] His first action, they said, was to survey the King's castles in Connacht, and then in September at Kildare to summon the whole service of Ireland, assigning to the Seneschals of Kildare, Wexford, Carlow and Kilkenny each his part of the marches to defend against the Irish. He then went into Desmond and brought Donal "Roche" MacCarthy to peace, his *iter* reaching as far as Cork, Buttevant, and Limerick. The service being ended, he spent nearly £600 in putting troops into Rheban and other holds, and created five Justices of the Eyre for County Tipperary, and instructed them on their duties. Then early in 1289, he made another tourn in Ormond and Desmond,

[1] *C. D. I.*, II., No. 1919.
[2] *C. D. I.*, III., No. 599 (1288-90).

and then into Meath and Connacht to inspect the royal castles and raise a force against O'Melachlin: there he kept the field with 100 warhorses and 4,500 vassals together with the king of Connacht for twenty-two days. He travelled on this service from Drogheda, through Meath, to Randown, Roscommon, Tuam, and Dunmore, and so back to Maynooth. Again in June-July he made an *iter* as far as Limerick, Kilmallock, Buttevant, and Callan. Then, in September, he led forces against the Irish of Offaly and Leix from Baltinglas and brought them to peace. He held two parliaments in Dublin in that winter and spring, and in May 1290 went against the Irish who had attacked Athlone. He then prepared to survey the state of Ireland, and the deeds of the ministers so that justice might be done to all, and the King's dignity everywhere maintained. Throughout his eyre he proclaimed that all who complained of the King's ministers or others in Ireland should be before him on certain days. He journeyed from Dublin to Drogheda, Kells, Mullingar, and so to Connacht, to Roscommon and Tuam, and back by Nenagh and Thurles to Tipperary, Limerick, Cork, Waterford, and Ferns, and "so rectified the King's peace that Ireland thereafter was at peace." [1]

On September 12th Sanford was ordered to give up his office to William de Vescy. Vescy, through his Marshal mother, was Lord of Kildare, and set himself to restore this Liberty. At once the jealousy of the Anglo-Irish for returning absentees was shown. John FitzThomas, especially, whose barony of Naas was held of the Honor of Kildare, felt his practical possession of that wide and fertile land threatened by the return of his nominal overlord, one of those "English-

[1] We note, however, that his visitations did not include Western Connacht or Ulster, where Richard de Burgo had his own itinerant Justices sitting at Carrickfergus, and which was indeed the most complete "Liberty" in Ireland. Nor did Sanford penetrate further west into Munster than Cork, Buttevant, and Kilmallock, for Western Munster was "March land" held by the Geraldines under palatine powers.

men by birth" who easily roused the hostility of the "English by blood."

FitzThomas, the future Earl of Kildare, had inherited one by one the Connacht and Sligo lands of his race, and the manors of Adare, Croom, and Grene in Limerick; and, by the death of his kinsman, Gerald, in 1287, became fifth Baron of Offaly and "*capitaneus Geraldinorum.*"[1] Thomas "an Apa" FitzMaurice had meanwhile so succeeded in rebuilding that lordship which the MacCarthys had badly shattered at Callann that in 1292 King Edward renewed to him and his heirs the lands of Decies and Desmond, with the custody of the castle of Dungarvan, and the homages, rents and services of all tenants, both English and Irish.[2]

The Burgos and Geraldines had in fact become "kings of provinces" after the Irish fashion, and that by direct sanction of the Crown. As such, boundary disputes and feuds were inevitable between them. Thus FitzThomas' lordship of Sligo was right in the path of that Ulster-Connacht lordship which the Red Earl was welding together, and a long and bitter feud between the two went on till 1299. Then, after full investigation by the Crown, the Justiciar, Wogan, summoned FitzThomas as prime offender before him at Athboy, and the chief of the Geraldines only atoned by surrendering his lands of Lochmask and Sligo, and his claims on Fermanagh and Tyrconnell, to Earl Richard, for compensation in Leinster or Munster.[3]

While De Burgo thus eliminated a dangerous rival in the North-west, FitzThomas turned his energies to Leinster, and to the overthrow of De Vescy. Some violent words attributed to this feudal viceroy at a Parliament of Irish barons were made by FitzThomas the basis of a charge of treason against him. According to FitzThomas, De Vescy had accused the King of acting with perfidy and cruelty to the Montfortians at

[1] For his inheritances see *Rental of Earl of Kildare*: *Hist. MSS. Comm.* (1883) *passim.*

[2] *C. D. I.*, II., p. 424, and III., No. 817. *Just. Rolls*, I., p. 153.

[3] *C. D. I.*, IV., Nos. 268 and 835. *Just. Rolls*, I., pp. 131, 234, etc.

Kenilworth during the Barons' War of 1265. and had said moreover: the people of Ireland were the most miserable he knew, for if they willed they could be great lords and well maintain the lands and franchises of Ireland, notwithstanding the King, "who is the most perverse and dastardly knight of his realm." Summoned to Westminster along with his accuser, De Vescy denied the words and offered combat to FitzThomas, who, however, did not appear. The King, stung by the words of the charge, in 1294 removed De Vescy from office, and took from him the manor, castle, and county of Kildare. On De Vescy's death in 1297 a portion of these estates were granted to Waleran de Wellesley, a tenant of the dead man, but finally in 1316 all were made into an earldom for FitzThomas, who was in fact the real owner.[1]

After an interval filled by three temporary Governors, Sir John Wogan was appointed Justiciar, and arrived in December 1295.[2]

Wogan was the greatest viceroy that had yet come to Ireland, and the length of his rule alone marks him out from the usual fleeting representatives of England. He governed the country directly for twelve years till 1307, and again from 1309 to 1312. A man after Edward's own heart, he was a good general, indefatigable in his duties, dowered with a practical genius for law and policy, and devoted to the interests of the State. A true Englishman, and a born official, he strove to enforce that centralism by consent which was Edward's great aim in England. The formation of a representative Anglo-Irish Parliament between 1297 and 1310 was his great achievement. Another, which needed infinite tact, was that of reconciling the Irish magnates and binding them again to their English sovereign. Both achievements had one object, that of making the Anglo-Irish colony a fruitful source of men,

[1] *C. D. I.*, IV., Nos. 137, 147, 365, etc.

[2] Sir John Wogan was great-grandson of Gwgan, one of the royal Welsh race of Brecknock. His son, Thomas, got a grant of the manor of Rathcoffy in Kildare in 1317 and founded the Irish Wogans.

money, and kind in Edward's wars. The way was that of consent, of declaring the Anglo-Irish to be a nation with national institutions, and, won over by the bribe, the English of Ireland responded generously.

The Justiciary Rolls show Wogan presiding over the Pleas throughout Munster, Meath, and as far as Roscommon in Connacht and Ardfert in Kerry. Everywhere, acting on royal orders, he set his face against those Liberties and regalities which so fatally hampered the power of the State and diminished the "King's land." In 1297 at De Vescy's death, Wogan took Kildare into the King's hand, and it was made shireland along with Meath in Parliament that year. In 1301, the Liberty of Wexford was also resumed, but Edward directed it to be restored to Joan de Valence. In 1306 the Lordship of Carlow was taken into the King's hand at the death of Roger, the last Bigod, but when Edward's second son, Thomas of Brotherton, had the earldom of Norfolk revived in his favour, the Irish claims went to him and his heirs.

This Strafford of the thirteenth century often went further than his royal master and exemplar desired. Nevertheless, he took many spoils from Irish feudalism, and greatly enlarged the shireland and the actual demesne of the Crown.[1]

Wogan, more than any mediaeval viceroy, was most fitted to procure the general emancipation of the Irish, but he made no public declaration on the point, in deference to Anglo-Irish feeling. though it often came before him, as in the case of Walter Otothil, which we have quoted. Indeed, in another case in 1297—in which an Englishman seized the messuage of Philip Benet, deceased, on the ground that he was a royal betagh (*hibernicus regis*), whereupon Philip's son, Adam,

[1] See *Just. Rolls*, I., pp. 102, 203, 316. In 1302 Ralf Pipard, baron of Ardee, surrendered to the King Donaghmoyne in Oriel, Ardee, Dysart in Westmeath, and Leixlip in County Kildare. (*C.D I.*, V., Nos. 149 and 167). Pipard could not defend his outpost against the Irish, and Oriel soon came to be distinguished as "Irish Oriel" (Monaghan of the MacMahons) and "English Oriel," i.e., Louth.

declared that his father had been English and had Irish law forced on him by the Seneschal of Kildare who then ejected him from his carucate of land—the King himself on appeal declared Adam English, confirmed him in English law, and rebuked Wogan for declaring that an Irishman (*hibernicus*) had no hereditary right to his land. Wogan, of course, was technically right if "*hibernicus*" is taken in the villein seinse, not in the racial; in another case, that of Walter Offyn, the verdict was to his credit, and it was during his vice-royalty that the "rights of the Ostmen of Waterford" were affirmed.[1]

Never again was the mediaeval Lordship of Ireland to exercise such wide control. Every apparatus of government as then understood in England existed in Dublin, and its orders ran through half of Ireland. Sheriffs in ten counties put these orders into effect by issuing directions to the sergeants of cantreds, the units of the Anglo-Irish shires.[2]

Finally the edifice was crowned by a Parliament which gave the English colony the dignity of Home Rule.

Edward needed all the help he could get from Ireland, and in 1295 instructed Wogan to raise ten thousand men there. The demand was evidently resisted, and it became necessary to submit it to a full assembly similar to that Model Parliament which Edward had summoned in England in 1295. In 1297 Wogan summoned to Dublin the most representative body that had yet come together, and the terms of his summons are given thus:

"The Justiciar, by Common Council of the King in this land, In order to establish peace more firmly, ordained and decreed a general parliament for this day. And orders were given to archbishops,

[1] *Just. Rolls*, I., pp. 123 and 271. For Rights of the Ostmen see p. 119 here. For Benet see later and *Mem. de Parliamento* (R. S.), p. 246.

[2] *Just. Rolls*, II., p. 195: in 1306 Wogan at the Common Pleas in Dublin commands the sheriff of Tipperary to levy a fine in accordance with the verdict; the sheriff commands the chief sergeant of the county to execute this, and he issues orders to the effect to the sergeants of Moytalyn and other cantreds which are named.

bishops, abbots, and priors, whose presence was necessary for this purpose, also to earls, barons, and other optimates, viz., to each individually. Also orders were given to the Sheriffs of Dublin, Louth, Kildare, Waterford, Tipperary, Cork, Limerick, Kerry, and Roscommon, and likewise to the Seneschals of the Liberties of Meath, Wexford, Carlow, Kilkenny, and Ulster that each of them personally in his full county court, or in the full court of his liberty, by assent of the county or liberty, should cause to be elected two of the better men (*probiores*) of the shire or liberty in order to be here, having full power of the whole community, and that each sheriff and seneschal shall be here in his own person."

There were three great omissions from this assembly. The towns were not represented, nor were the lesser clergy, nor were the native Irish, not even as chiefs attending among the peers. The first two omissions were soon rectified, but except for such prelates and abbots as might be of Gaelic blood, the older race remained without a voice in the Irish Parliament till 1540.[1] Indeed, this first parliament of Anglo-Ireland showed the anti-Irish spirit which marked so many of its successors by passing an act that colonists who wish not to be treated as Irish must refrain from wearing the long locks (*cúlan*) of the Irish and Irish garb, otherwise they will be taken for Irish and treated as such, a grim phrase.

An act against absentees, another forbidding the keeping of kerne, another ordering every holder of twenty plowlands to keep horse and armour, showed an equal dislike of the great hibernicising magnates and a strong middle-class English spirit. In a similar mood, the Parliament of 1297 directed that Ulster, Kildare, and Meath should henceforth be reckoned as

[1] It is not clear when proctors for the lesser clergy first attended. In a Great Council of 1372 there were two proctors each from Armagh, Dublin, and other dioceses. They continued to attend till the Parliament of 28 Henry VIII., when the clerical proctors were excluded, the Statute saying "two proctors of every diocese have been used and accustomed to be summoned to parliament." The exclusion of the Irish chiefs was not deliberate, but their semi-independent position made it difficult to summon them. Yet they did attend the Justiciars and come to local councils, e.g., in 1302 Geynville, Lord of Trim, summoned 126 nobles to discuss the expedition to Scotland, of whom two, Aedh O'Conor and Donal O'Neill, were Irish (*Lib. Mun.*, I., Pt. IV., p. 160).

counties, a step which greatly increased the area of common law at the expense of the Liberties.[1]

Wogan's hand is evident in all these proceedings. But no more than his royal master could he stand faithfully by the letter of representative politics. A central parliament was intended to remove that old grievance of shire-courts and local meetings being called on to vote taxes. But in 1299 Wogan held at Rathwyre in Meath, and at Naas and Moen in Kildare, local conventions of the sort which were easily packed and intimidated, and made ordinances which Geynville and other magnates approved. In 1300 this great viceroy did a thing even more objectionable. Ordered to raise supplies and troops for the Scottish war, he issued writs for a parliament at Easter in Dublin, but before it met, he went to Drogheda and induced the mayor and commons there to make a local grant. Parliament meeting without spokesmen for the towns, the magnates and knights excused themselves from paying the subsidy, and said to Wogan, "go through the counties making your own bargain, and we will prevail on the commons of the same to consent and will ourselves contribute."

Armed with this *carte-blanche*, the Justiciar proceeded to Trim and thence through Munster, raising £2,000 in all from counties and towns.[2]

Here Wogan acted a part which was without dignity or even much profit, nor was the attitude of the magnates much nobler. But the danger was made obvious to the colonists that the Chief Governor, by calling these petty assemblies, might set aside the general assembly altogether. Henceforth there was a

[1] For an account of the parliament of 1297 see *Miscell. Irish Archaeological Soc.*, 1846, based on a Latin record in the *Black Book of Christchurch;* also Berry, *Statutes of Ireland*, I., pp. 195-213. Among other Acts, all truces with the Irish were to be universal, and no Irish at peace or truce were to be molested. In Clause XI. (p. 211, Berry) the phrase "Anglici degeneres," "degenerate English," is used for the first time, as applied to the Norman-English of the Marches.

[2] *Just. Rolls*, I., p. 304.

constant demand that matters of finance and law should be treated by no lesser body than that of the Estates of Anglo-Ireland. Wogan had, in short, interested the colonists in politics, and they promptly realised the value and dignity of them.

Finally, in February 1310, was held at Kilkenny Ireland's true "Model Parliament." Wogan called before him for January 8th of that year, eighty-eight magnates, summoned each by writ, and two knights of each shire and two members from each of certain towns, having full power on behalf of the said communities to parley, treat, and ordain with the Justiciar, Council, and other nobles of the land, upon certain matters. The importance of the third estate was admitted in the fact that they formed part of the committee which prepared the petitions.[1]

The tone of these assemblies followed that anti-Irish and anti-feudal note which was struck in 1297. In 1310 Parliament at Kilkenny enacted that "no mere Irishman (*nullus merus hibernicus*) shall be received into a religious order among the English in the land of peace in any parts of Ireland." In 1323 the Commons stand out against the four earls and thirteen other "graunts de lynnage," and demand that the grandees shall apprehend all felons of their surnames and adherence before parliament shall next meet.

This consistently sturdy English middle-class spirit was aided by the fact that the Irish Parliament was one body, not two Houses as that of England was after 1360, that the knights and burgesses had the support of the Council and the officials, who always sat in the assembly, and thus, in a body which seldom exceeded 120 members, were able to oppose the Lords face to face.[2]

[1] The writs for this parliament are the earliest extant for Irish parliaments. The published Statutes begin also with this date. For the Irish Parliament generally see Berry, *Statutes*, Lynch, *Legal Institutions*, Betham, *Parliamentary Dignities*, Litton Falkiner, *Essays relating to Ireland*, etc.

[2] In 1374 out of those who were summoned to Parliament, ten were of the King's Council. There were also four archbishops, eleven

Wogan had now successfully enlisted the Anglo-Irish for the Crown. From 1296 onwards the ful resources of Ireland in men, money, and ships were used against the Scots. Reconciled by Wogan, the Earl of Ulster, Theobald Butler, and John FitzThomas joined Edward at Roxboro in May 1296, with over three thousand well-appointed horse, archers, and men-at-arms. In 1301 Wogan was ordered to come with all the lieges of Ireland, and royal letters were sent to a hundred and eighty Irish magnates, including O'Conor, O'Neill, O'Brien, MacCarthy, and seventeen other Gaelic princes who were reckoned "lieges" for this purpose. From 1302 to 1306 De Burgo and FitzThomas did constant good service in Scotland. At the same time supplies for the armies which fought to extinguish the nationality of Scotland were constantly demanded from Ireland, and providing them became one of Wogan's chief cares. The vast quantities of corn, meat, wine, fish, cloth, and articles of luxury sent out from Ireland at this time indicate a land which was not only abundant in food-produce, but a centre of textile industry also.[1]

But this draining of Anglo-Irish wealth was a fatal error. The revenues were unprofitably consumed in a wicked and wasteful war. The Anglo-Irish baronage, though they owed foreign service, and though part of it was paid for, contracted crushing debts in the service of the Crown. The demands of the Crown diverted

bishops, two vicars-general of bishoprics, the Guardian (*Custos*) of another, fifteen abbots or priors, three earls, forty-one lesser lords, two members from each of seven counties, five Liberties and five Crosses, and two from each of ten towns. Thus of a possible attendance of 141, the Council, the knights and the burgesses would have sixty-four votes, and the lay lords forty-four, for the clerics could not be trusted to vote with the magnates.

[1] *C. D. I.*, IV., p. 358 and *ibid.*, p. 19, for the summons to magnates. For Irish troops in Scotland see Stevenson, *Docs. illustr. history of Scotland*, II., p.124. In 1306 *inter alia* Wogan was required to provide out of the issues of Ireland 3,000 quarters of wheat, the same of oats, 1,000 quarters of malt of oats, 2,000 hogsheads of wine, 200 carcasses of beef, 300 hogs, and 10,000 dried fish (*C. D. I.*, V., p. 151.) For numerous other demands see Gilbert's *Hist. and Mun. Docs. of I.*, *passim* from 1280 to 1315.

them from their lordships and the uncompleted Conquest. Moreover, the Scottish war of independence had its reverberation among the Irish Celts, and ere long the Anglo-Irish were bitterly to regret having joined in the war against Scottish rights.

The reign of Edward the First over England and Ireland ended on July 7, 1307. Wogan had filled twelve years of that reign with a gallant attempt to make Ireland a second realm for his master. He had for the time reconciled the Norman-Irish with one another and with the Crown, brought the semi-independent towns into the general unity, given the colony the dignity of a nation, and enlarged the area of Common Law. The year of Ireland's Model Parliament marks the height of English Lordship. It seemed as if yet all the elements of a real English monarchy might be drawn finally into one, and the island anglicised in speech, law, and institutions from sea to sea. But the reign of the contemptible Edward II. was to quench these prospects. The "overmighty subject" was left as great as ever, and steadily became less English, while the failure to bring the independent and semi-independent Irish under the law was evident. In his latter years Wogan had to unfurl the royal banner against English rebels on the one hand and Irish enemies on the other, and of the two the English rebels were the more dangerous to the State. In May 1308 the confederated clans of Wicklow burned the border fortress of Castlekevin, and Wogan, marching against them, was overthrown near Glenmalure with heavy loss (June 19, 1308). Four years after, in 1312, marching with the royal service against Robert de Verdun, a rebellious baron, Wogan was again "miserably overthrown." [1] Such were the difficulties of the strongest of viceroys even when the English Lordship was at its height.

[1] *Laud MS. Ann.*, 1308 and 1321;

CHAPTER VIII

THE RACES OF IRELAND ON MANOR AND TOWN *circa* 1300

A CENTURY and more of English conquest had now completely changed the face of Ireland and introduced the new races of Norman, Welsh, Flemings, and Saxons among the older races of Celt and Norseman.

The Ostmen well deserved the gratitude of the conquerors, whose task would have been infinitely harder but for the existing fortress-towns of the Norse and the supply of mariners, pilots, soldiers and interpreters which they drew from these older, half-hibernicised colonists who had given Teutonic names to the chief harbours and headlands of the coast from Larne to Limerick. So valuable and wealthy a race were at once taken under the special protection of the Crown; and we have seen how Limerick had its "liberty of the Ostmen"; how in Waterford a special royal charter protected them, and that they had a "villa Ostmannorum" outside the walls; while in Dublin, and still more in the suburb of Ostmanby north of the Liffey, a considerable Ostman community survived peaceably for a century and a half after the capture of Dublin.

Certainly the earliest freemen and gild rolls of Dublin contain few Ostman names, which would suggest deliberate exclusion, but in any case the earlier burgesses must have been swamped by the influx of newcomers. Those recorded are wealthy merchants and freeholders, equal in law to the English, and Richard Olof, who was mayor of Dublin early in the fourteenth century, has clearly an Ostman name. Towards the end of the thirteenth century, however, evidence for their separate identity fails; Englishmen intruded into Ostmantown itself; and in any case, the Ostmen naturally blended

with the English, and no doubt adopted common English and French names [1]

The rural Ostmen had less chance to blend honourably with the conquerors, for they were almost completely hibernicised; moreover, the magnates and the Englishry in general viewed with greedy or suspicious eye men who were rich in land and cattle, and sometimes represented powerful dynasties. Thus the MacTorcaill race of Dublin did not survive long; Earl Asgall and his brother were the last to hold their whole demesnes north of Dublin, where some place-names still indicate this royal stock; but one of the name was a headman of the Ostmen in the Vale of Dublin till 1230 or so.[2]

Two Ostmen names were the origin of petty clans in the hilly country south of Dublin, where in 1350 we find the Anglo-Irish government granting a writ for the election of a "captain of the Harolds" and a "captain of the Archbolds." The Harolds were lords of a march-land stretching from Saggard to Dundrum, called later Harold's country, and the Archbolds held "much and little Bray." Names so Norse and found in that "land of the sons of Turchil" which Strongbow granted to De Ridlesford can be safely given a Scandinavian and pre-Norman origin.[3]

[1] See my paper on *English and Ostmen in Ireland, Eng. Hist. Rev.* April 1908. The first roll of Dublin names, *circa* 1172, out of 148 names contains only ten which clearly seem to be Ostman. The merchant guild in 1226 also has but few of them, see *Nat. Facs. Ir.*, I., Plate LXIV., and Gilbert, *Hist. and Mun. Docs.*, p. 77. *Christchurch Deeds* (20th Report, D. K.), p. 103: a deed of King John confirming the possessions of Holy Trinity, Dublin, as granted before and after the arrival of the English names many Ostman donors who were alive about 1170, e.g., "Seger the aged," ancestor of the name Sigerson.

[2] In Pleas at Dublin in 1302 we find Hamo McTorkil (*Just. Rolls*, I., p. 408). The Pipe Roll of the Vale of Dublin, 13 H. III., indicates that "Thurkill and Arphin" are responsible for the rents of the Ostmen of Annaliffey [35 *Rep. D. K.*, 1903, p. 32]. For Asgall and Hamund MacTorcaill see earlier, 11 pp. 54,83. The townlands of Ballymacartle (Ballymakarkill in 17th century) and Hamonstown in Fingall recall this family, Ballymakarkill being clearly Baile-mac-Thorcaill.

[3] See my *Clan System among English Settlers in Ireland, Eng. Hist. Rev.*, January 1910. I owe to my revered friend, Dr. Sigerson, the happy suggestion that Archbold is a corruption of the pure Norse Asbol, which is found in the corrupt form Absolea in the Christchurch deed just mentioned.

The small rural Ostmen were menaced with the fate of the Irish with whom they were now so closely identified, namely, of dispossession and denial of legal right, as if they were but "*hibernici*" and betaghs. Little nests of hibernicised Ostmen had long been settled as traders and townsmen and even as tenants of Irish lords far up the great rivers of Leinster and Munster. Intermarriage had been common; Ostmen had taken Irish patronymics, such as MacGillamaire in Waterford, and become Irish speakers. We have no evidence of Norse being spoken outside the cities by the time of Strongbow, and the Norman-English were encouraged to treat the Ostmen as "*hibernici*" just because they were so far absorbed.

The fate of the Ostman dynasty of Waterford is instructive. In 1170 there were two jarls, Ragnall and Sitric, both of the MacGillamaire race. In 1236, as we saw, the Crown, acting on Anglo-Irish suggestion, ordered the confiscation of "MacChiteroc's demesne near Waterford"; this was naturally resented, and Sitric's descendants became outlaws and felons. In 1316, however, Edward of England granted English law to Richard, son of John MacShiterok. In 1283 Edward I. confirmed English liberties to three MacGillemorys, Gillecrist, William, and John, as well as to other Ostmen of the city and county of Waterford; and in 1298 we find William MacGillemory holding a carucate and a half near Dungarvan under Thomas FitzMaurice of Desmond. Ballykilmurry in that neighbourhood still indicates the demesne of this royal race, which, however, along with MacSitric fades from our view after Edward the Second.[1]

We saw how the liberties of the Waterford Ostmen were affirmed by Henry II. and Edward I., and how there was outside the city a "villa Ostmannorum"

[1] See earlier, p. 120, and the indices to *C. D. I.*, II., III., IV., and *Just. Rolls* for MacGillemory and MacSchiterok. *C. D. I.*, II., No. 2134 for confirmation of liberties to the MacGillemorys and other "Custumanni" (*recte* "Oustmanni"). For liberty to MacShiterok see *Cal. Pat. Rolls*, 1313-17, p. 463.

similar to Ostmantown near Dublin—probably the suburb of Ballytruckle (Thorgil's town) still commemorates this place. The Pipe Rolls of 1236 record "*Ostmanni Domini Regis*" in the county Waterford itself. In Limerick the "liberty of the Ostmen" was enjoyed by all who bore the name MacMaccus, even when resident elsewhere, till Edward the First's time and probably much longer. While they held together these Ostmen groups were protected by the Crown as "*Oustmanni nostri*," but such a rich, defenceless, and scattered race invited oppression from the rural English, accustomed to ill-treat the Irish. Petitions against such treatment attest how far inland these Norse groups had penetrated, how hibernicised in name and clan-organisation they were, what their trades were and their wealth, and the attitude of the Englishry to them and to the Irish. That of Philip MacGothmond in 1290 is most instructive: as "an Ostman and Englishman (i.e., entitled to English law) of the city of Waterford, he prays remedy against persons emulous of him and greedy of his demesne in Ireland, who exact five marks payment when a man is killed (i.e., by one of MacGothmond's men) and exact also his chattels and land, clearly usurping the King's liberties, and who wish to prove that Philip and his race to the number of nearly 400, are Irishmen, whereas they are English and Ostmen as appears by letters of the bailiffs and citizens of Waterford. As it belongs to the King to correct that from English and Ostman he should be turned into an Irishman, and as it is useful that there should be more English than Irish, he prays licence to use and enjoy the liberties and customs of the English in Ireland." The royal answer was: "As Philip has from the commonalty of Waterford the charter which he now prays from the King, let it be shown to the King. Philip's petition is granted because the Escheator testifies that it would be to the King's advantage." Another applicant, Maurice Macotere, writing "from the world's end" (apparently in

Tipperary) has "three hundred of his race" beside himself.

Such petitions were generally granted; it had long been the royal policy to add this rich, industrious, and Teutonic race to the thin ranks of the Englishry, but MacGothmond's petition had a grim implication on the fate of Irishmen who could not claim English or Ostman law.

In 1283 a group of Ostmen still survived on the Wexford coast, for in that year William de Valence, Lord of Wexford, ordered an inquest into the services, etc., of his Ostmen at Rosslare, and the jury found that in the time of the Marshals there were in County Wexford "a hundred forensic Ostmen very rich who used to pay to the reeves of Wexford certain money rents and commutation for harvest dues, but now there are only forty having little gear, and twelve others who serve the English and others for a living, having naught themselves." The Lord therefore frees them from all burdens, rents and services which the dead were wont to bear, and restores to them their former liberties.[1]

After 1300 we hear no more of these Ostman groups; after 1230 the Pipe Rolls no longer mention the Ostmen of Annaliffey nor the *Ostmanni domini Regis* in Waterford after 1262: in the towns or more English districts the old Norse blended with the English, whose laws they shared, in the further districts they were absorbed among the Irish. As we would naturally expect, a strong and sturdy Ostman element long remained visible in the maritime towns which had been in Norse hands before 1170: their names constantly recur in civic annals and in the highest offices, and

[1] See my paper in *E. H. R.* (1908), *op. cit.*, for Ostmen of Rosslare, and *C. D. I.*, II., No. 959, and III., pp. 305-6. No. 959 says "David archbishop of Cashel has the chattels of Reginald Macotere *an usurer*," they are worth £400. In their professions as well as in their especial protection by the Crown the Ostmen much resembled the mediaeval Jew. Macotere "son of Othir" is the modern Irish surname, Cotter, still fairly common in Munster.

though they naturally blended in time with the English inhabitants, many of their names are still extant.[1]

During a hundred years and more of conquest the superiority of the Normans in diplomacy, war, and policy, and the divisions of the native kings had united to shatter the old unity of Gaelic Ireland. The Church had become two divided halves of a venerable whole; the tide of native culture had been fatally checked; the whole east coast had become English; and Leinster had for the time dropped out of the Gaelic world. The native window towards Europe had been shuttered, and the window towards the North only looked out to the Scottish Isles which bred fighting *gallóglaigh*.[2]

The status of the Irish people now ranged from absolute independence to the serfdom of Irish betaghs among the colonists.

Although English law admitted the civil rights of the Five Bloods, the fortunes of the province-dynasties was at a low ebb. O'Melachlin held but a portion of Delvin and a cantred about Loch Ennell; MacDunlevy is officially styled *Rex Hibernicorum Ultoniae* in 1273, but his race disappears by 1300; MacMahon took the place of O'Cerbhaill in Monaghan, a fragment of Oriel; and Brefni was divided between O'Ruairc and O'Reilly, the first in Leitrim and the second in Cavan. O'Neill and the East Ulster chiefs were vassals both of the King and the Earl, and O'Conor had but two and a half cantreds in Roscommon.

[1] For example, in Cork Coppinger (Kaupner, the Norse for "merchant"), and Skiddy (i.e., "Scidheach," a Norse-Gael from Skye): in Limerick Arthur (Ardor), Syward, Ulf (Wolfe), Osmond or Esmond (i.e. the Ostman), Harold, and Hamond. *Exchequer Mem.* 196, p. 171 (5-6 Ed. III.) record a Harold and a Sweetman among the burgesses of Thomastown. William Sweteman was one of the two reeves of Dublin in Henry III.'s reign; this name which is apparently derived from the Norse Suatgar, "black spear," is frequent among mediaeval Anglo-Irish officials (*St. Mary's Chart.*, I., p. 476, and *passim*.) Walter Swaitgar and Siward, son of Walter, are on the burgess roll of Dublin in 1172 (*Nat. Facs.*, II., Pl. LXIV).

[2] Quiggin, *Prolegomena to Study of Irish Bards, Proc. Brit. Academy*, 1911-12, p. 105, notes that no bardic poetry survives from Leinster after the Norman invasion till the time of Art Mór MacMurchada, for whom an extant Inauguration ode was written, *circa* 1376.

The MacMurchadas had for the time completely vanished from the roll of kings. The two heads of the race were in 1280, as we saw, vassals and officers of the Lord of Carlow. The Bigods freely proclaimed their kinship with the MacMurchadas and other descendants of King Dermot, and a certain gratitude was shown to the families which had aided the English. In 1281 when a safe-conduct to England was issued to "Art MacMurth and Caruel Alfortien" they are described as "Irishmen and kinsmen of Roger le Bygod Earl Marshal." [1]

But though it was in abeyance, the Clan Murchada were not likely to forget their ancient greatness, and, all unknown to the feudal overlords, the Kavanaghs enjoyed among the Irish of Leinster not only the name but many of the prerogatives of Gaelic monarchy.

Apart from the chief races—many concordats, recorded and unrecorded, had left a part of the nominal baronies to the old Irish lords, on terms of suit and service. Such chiefly vassals ruling over chiefs were held to be free *hibernici*, and through them the Crown got aids, the feudal lords got rents and fighting men, and the law hoped to hold the Irish to account. It was, however, a fatal policy for the English, who little understood the subtle patience with which a long-memoried race waited for the day of the "New Foreigners" to pass over like that of the Norsemen before them,

The greater part of the Irish race in the conquered land had, however, become serfs or small freeholders attached to the manors. In remote Connacht, in Kerry,

[1] *C. D. I.*, II., No. 1873. *Accounts of Liberty of Carlow, R. S. A. I.*, 1892, p. 50. See *43rd Rep. D. K.*, 11. Ed. III.: O'Molryan, O'Dwyer and their following are *hilernici* of the Earl of Ulster in Tipperary. In the Inquisitions of the Earldom of Ulster in 1333 O'Neill, Maguire, MacMahon, O'Cahan, and other Ulster chiefs are described as holding of the Earl by service of supporting armed troops assigned to them by the Earl: thus MacMahon "holds the rule of the Irish of Oriel for the said Earl by service of supporting fifty satellites": *Cal. Inquis.*, VII., p. 376. The "men," "the following," "urraght," "creaghus." all imply the same thing, viz., the *airecht* or chief's council of the heads of his vassal races.

in Down, as well as in Leinster and Meath, we find everywhere communal groups of betaghs living after the Irish fashion under a headman, holding their *terra betagiorum* in common and cultivating the lord's demesne. Thus Crown lands in Annaliffey were laboured by Irish serf-clans and the King's *betagii* are often met with.[1]

Bought and sold with the manor, unable to fly, subject to heavy manual services and tributes in kind, their property liable to be seized for the lord's debts, denied a legal interest in the soil, subject entirely to the lord's court, harassed by thieving colonists, the lot of the betagh was at first worse than that of the English villein. This did not prevent their accumulating wealth or flourishing under good lords. They were preferred as cultivators to the English, for their traditional skill and knowledge of the soil, and for that enduring patience under heavy rent and burdens which Tudor observers specially noted in the "Irish churl."

The inevitable burdens of mediaeval villeinage were made harder for the Irish betagh by the persistent discrimination of the colonists against them as members of a rightless and inferior race. Nevertheless, their emancipation came about through the same economic causes which abolished villeinage in England, the chief of these being that it did not pay. The betaghry were allowed to acquit much of their services in money, and several manor surveys of Edward I.'s time make this return: "here are no works of the betaghs because they are charged with rent."[2]

Surveys of typical Anglo-Irish manors generally show the upper class of knightly or chartered tenants as almost entirely English, with some Irish among the free-holders, and more among the renters and lease-

[1] *35th Rep. D. K.*, p. 29, Account of Vale of Dublin and for King's *betagii*, *Just. Rolls*, *passim*.

[2] *C. D. I.*, III., p. 202, and IV., p. 255. Certainly a betagh could get to a town by the "Year and a day rule" (see end of chap.), but there was also a royal writ, *De nativo habendo*, by which a runaway villein could be handed back to his lord, see a case, *C. D. I.*, II., p. 309. For the wealth of a betagh see *C. D. I.*, II., p. 432.

holders (gavellers and "*firmarii*"); while nearly all the cottiers and betaghs are Irish.

The Church estates show a still larger proportion of Gaelic tenantry, both bond and free. Already numerous betagh-groups, herenaghs, and lay-tenants dwelt on the estates of the Celtic Church, and after the Conquest, the bishops and abbots, English no less than Gaelic, maintained the humane tradition of the past, confirmed in their status the existing tenantry, and took many others under the protecting wing of the Church. So, if betaghry survived longest on the Church lands, it was because villeinage had been made a very tolerable yoke there.[1]

In the free blending of races the estates of the see of Cloyne are most remarkable. Its bishops were Gaelic till 1284, but their English successors, such as Swaffham (1363-76), for whom was begun the *Pipa Colmani*, left the racial texture unchanged. On the episcopal lands between Cork Harbour, Ballymacoda, and Castlelyons, Normans, English, Welsh, Irish, and even an odd Ostman, lived side by side, not only among the free, but among cottagers and customary tenants. Of thirty-seven knightly tenants, only Dermot MacCarthy is Irish, and possibly "John de Kery." The thirty burgesses of Kilmaclenin are all English save three. Of fifteen customary tenants at Burgeysgrove, six are Irish and of nine cottagers four, while at Ballycotton eight Irish and two English fishermen dwell together. But we cannot be sure of the origin of the strange un-Gaelic names which we find among St. Colman's tenants such as Cod, Wyn, Kase—who may have been Ostmen or Irishmen changing to plebeian Saxon-sounding names.

[1] For a typical group of manors, see those of Prendergast in Beuver and Douglas, Co. Cork (*C. D. I.*, II., No. 3230). "The serjeantry of the betaghry of the King s manor of Trim" is mentioned in an Act of the Irish Parliament, 7-8 Ed. IV. (Berry). The *Reg. Alani* (MS. copy, T. C. D., II., p. 905) records fourteen betagh people surviving on the Archbishop of Dublin's manors at Finglas, Swords, and Tallaght on the Archbishop of Dublin's manors at Finglas, Swords, and Tallaght, in 1530.

Many of these are "customary" or villein tenants —but a lower deep is struck in the "*homines Sancti Colmani*," namely, thirteen betagh-clans with Gaelic eponyms who dwelt at Ballyonan, near Cloyne—"*hibernici* of the Church of St. Colman and born in servitude"—and four other such at Donoghmore in Muskerry who could not be removed from the episcopal land without the bishop's licence—which, indeed, was their protection against the designs of grasping English neighbours.[1]

The Cloyne episcopal lands were thus a world in small where the problem of blending the races of Ireland seemed to be happily solving itself.

But so fair a picture was far from being true of the colony as a whole. The highest families even and those most allied with the English, had to fear assaults on their property and their freedom. Walter O'Toole could show a charter of English liberties from the Marshal Earls, but was ousted from his land by two colonists, who replied to the writ of attachment that Walter was "*hibernicus*" and not answerable at law. In another case an Englishman blinds an Irishman, O'Fyn, for insulting his wife, but the Irishman proves he is not a betagh (*hibernicus*) though he is Irish. So the Englishman is punished; but it is a grim revelation of what the colonists thought they could do with *unfree* Irishmen.

In other cases—to their honour—the jury saves an Irishman whom an abbot has enfranchised, from being seized as a serf; here King Edward himself rights an Englishman whose father had Irish law forced on him (so that he might be exploited), and rebukes the Justiciar for saying that an "*hibernicus*" has no hereditary right to his holding.[2]

[1] *Pipe Roll of Cloyne*, published in the *Cork Arch. Soc. Journal*, 1913-15. The *Pipa* certainly was compiled after the Bruce wars and the decline of the colony, but except for Dermot MacCarthy, the picture given is one of the thirteenth century. The O'Helghys, "men of St. Colman," told Bishop Synge who gave them a lease in 1639 that they had been there for five hundred years.

[2] See formerly, Chap. VII., *Just. Rolls*, I., p. 123, and II., p. 321, and *C. D. I.*, II., No. 1946, etc., etc.

To get hold of an Irishman's land on the plea that he was "*hibernicus*" and outside the protection of common law, had for the colonist obvious advantages. In criminal matters the denial of English, and the enforcing of Irish, law had a definite policy behind it. Killing a kinless Irishman who had no lord, especially if he was a thief, was little or no felony; and to slay a betagh was merely to damage a lord in his property. But the Irish who lived in free or vassal groups were often restricted to the Brehon law, where it suited the colonists. For, by Irish law, offences against persons, except heinous ones and murders of great men, could be atoned for by fines, levied on the wrong-doer's kin. Hence if a colonist were killed, the eric was exacted from the kin of the known or supposed malefactor. But it was hard for the Irish, in their turn, to get eric and honour-price from the English, who did not live in septs, and whom few judges dared to bring to the full penalty of the English "law of life and limb."

Again the private criminal jurisdictions of the feudal lords had by the end of Edward I.'s reign been diminished in the case of English tenants, but their right to punish Irish malefactors was maintained as a matter for themselves, and the jarring of the races, and border wars, and the numbers of the dispossessed turned outlaw, gave colour to the plea of harsh necessity.[1]

A custom arose by which an Englishman's life was reckoned at twenty marks, an Irishman's at five and a quarter. Thus did State judges themselves admit the Brehon law, for which in fact the colonists came to have an increasing regard. Hanging, mutilation, and forfeiture were penalties so severe and inhuman

[1] See *Just. Rolls*, I., pp. 85, 298-9. *Ibid.*, pp. 95, 203: Thomas Saresfeld has in his lordship in County Cork a gallows at which all "hibernici" ought to suffer. Later on of course many of the "march English" formed clans ("*naciones et cognomina*" as Clyn calls them). The Parliament of 1297 (Clause XI) admitted the difficulty introduced by the clan-organisation of the Irish: "by such killing (of Englishmen and Irishmen) matter of rancour and enmity is generated among many, for the kindred also, as well of the slayer as of the slain, are often in turn struck down by enemies."

as to need a strong State to enforce them. But it did not mean that the law-abiding English grew any milder towards Irish borderers not living "*inter anglicos.*" An act of Parliament in 1297 decrees: if any of the English dress and wear their hair like the Irish let them suffer as such, "for the killing of Englishmen and of Irishmen requires different methods of punishment." [1]

Certainly there were difficulties in the way of a general extension of Norman and Anglo-Norman law to the Irish.[2] But it is hard to believe that the Irish were not far enough advanced for this law, and would not have understood its complexities. Legal subtleties are just what the *Senchus Mór* and the *Book of Aicill* delight in, and there is nothing in the crude processes of manorial law, or even of Henry II.'s assises, which a trained Brehon would not have grasped. So far from Irish and Anglo-Norman law being at the opposite poles of the tribal and the modern, comparative study surely reveals how close was Irish custom not only to Anglo-Saxon, but in tenure and feudal custom, to Norman law. When Henry II. and Edward I. brought in a new concept of law and the State, the Irish baronage, men of Stephen's rather than Henry's time,

[1] *Just. Rolls*, I., pp. 254, 283. Common Pleas before Wogan, at Callan in 1300; regarding an affray between the English of Kilkenny and Tipperary. Hugh Purcel is ordered to pay 20 marks for each Englishman slain, and five marks and 40d. for each Irishman slain. For judges allowing Irish to make money atonements for killing of English, see later, Chap. X. Berry, I., p. 211 (1297).

[2] See Dr. Orpen's views, with which I cannot find myself in agreement, in his vol. ii., pp. 332-5. See formerly, p. 139, for Alexander III.'s rebuke to Henry III. about the English "who deny to Irishmen the right to enjoy freehold in inheritance," and the same Pope's quashing "the evil custom in the province of Cashel whereby credence is given to by judges to an Englishman on his oath touching a theft, if supported by six other English, while an Irishman whose innocence is testified by thirty witnesses has to make restitution—let equal justice be done between English and Irish."—(*Cal. Papal Reg.*, I., p. 283). Davies in his *True Causes* puts the denial of right to the Irish, "an ancient race, not wanting in wit or valour, great lovers of music and poetry," among the most serious reasons why Ireland was never till his time reduced to obedience under the Crown of England.

had as much almost to learn and unlearn as the Irish themselves.

Nor can we say that that English liberty was not desired, for O'Neill, O'Conor, and others, had several times sought a fixed legal tenure for their lands. To the Irish living among the English, the protection of State law was a vital necessity, and there is no lack of sincerity about the requests made for it by individuals or by communities under Henry III. and Edward I.

Not infrequent redress was given by the King's officers and by English juries. Humanity and policy were not lacking, but the true resistance came from that landlord class which was stronger than Crown or people.

Though the Lordships—there were ten Earldoms and Liberties in 1330—came to cover most of Ireland, and though they had all franchises saving the four Pleas of the Crown, and appointed Seneschals of their own who received the royal writs, yet they had not the true palatine liberties enjoyed, for example, by the Earl of Chester. From Edward I. onwards State taxation was levied within Liberties as without; the feudal array of the whole colony, liberties and shires, was called out by the sheriffs, the Liberties were represented in Parliament from 1297, and few Lordships escape the visits of the Justiciar. But while in England similar franchises dwindled away from 1300 onwards, in Ireland the absence of the Crown allowed the Feudal age to survive into the age of the Stuarts.[1]

Certainly the "free laws of England" released the Englishry in a large degree from baronial courts, but the Lords of Liberties claimed a peculiar right in their

[1] For great franchises on Church lands see those of Cashel even under Henry VI. (Laffan's *Cashel*, p. 33). *Gormanston Reg.*, p. 17—the court of the lay fief of Herbardestown, Co. Dublin, still had in 1410: view of Frankpledge, waifs, strays, wrecks, infangthef, utfangthef (the right to hang thieves caught stealing, inside or outside your liberties), prison, irons, stocks, gallows, and pillory—the Lord has all plaints in his court to determine as in Court Baron.

Irishmen, and every petty holder of a franchise imitated them. Hence their attempts to make betaghs of the free Irish and Ostmen, and resistance to royal edicts of emancipation, shown in the proviso added to the ordinance of Edward III. in 1331, which decreed that there should be one law for the English and the Irish, "except for the betaghs who shall be to their lords as the villeins in England."

A judgment in the Lordship of Meath "as to preys taken in the Marches" makes it clear that border wars were frequent and welcomed as a lucrative source of horses, arms, and ransoms from the Irish enemy.[1]

Even still, a hundred years and more after Strongbow, the English occupation had the aspect of a joint-stock enterprise in which the profits of war were greater than those of peace, and the great men shared them with the small.

We may add that the mediaeval Crown of England had more than one problem of mixed races on its hands in Wales, Acquitaine, and elsewhere, and certainly in Wales managed to reconcile a Celtic race with fair success. Doubtless some excuses can be made for it in its dealings with the unsubdued Irish. The ruling chiefs would have been easier to turn into Crown tenants had their office been hereditary, but it was hard to deal with elective or merely semi-hereditary captains whose successors might repudiate bargains and treaties. The independent chiefs of provinces or countries cared little for Irish betaghs and freeholders "*inter anglicos*," and, being as they were one of the proudest aristocracies in Europe, they fought mainly to be recognised as "*saer-clanna*," as "free races," equal in status, legal worth, and land-title to the proud Norman, and cared little whether a King or a great Earl assured them in this. Border chiefs had among their followers men who thought it an honourable profession to raid the Saxon. Indeed, the chiefs were themselves taught in the tradition of foray and fight,

[1] *Gormanston Reg.*, pp. 5, 10, and 176.

and, while they complained of reprisals, naturally they would not wish, or would not be able, to hand malefactors of their race over to the justice of the Saxon, aggrieved by cattle-raids or border frays.

A century of forcible conquest had also filled the borders with landless, lordless, and kinless men, expelled by Norman and sometimes by Irish enemies, or broken men serving conquerors of either race, and while these were the worst enemies of the Norman peace, they were hardest to call to account, and peaceful Irish often suffered for them in repute or in person. It must not be assumed that the Irish, independent or conquered, preferred English law for its own sake, for no race has ever been more attached to its ancestral code, "the laws of Cormac mac Art." Certainly the leading chiefs and their free clans were always ready to welcome an additional title from English authority, as Crovderg and Donnchad Cairbrech had done, but they did not intend to repudiate their elective kingships, which gave them far greater repute with their following. In any case, the *rigdomnas* with their vested right and the learned with their tenacious conservatism would have combatted their doing so, or would at least have set up a Celtic hero against a Normanising chief, even as the O'Neills reverted to Shane the Proud after Henry VIII.'s Conn, Earl of Tyrone. Still in the Remonstrance of 1317 the leading Gaels sought put forward as a solution of their dubious position a division of their lands between themselves and the conquerors and a secure status in chief of the Lord of Ireland. The *intelligentia* supported this claim, and the O'Conor who submitted to Richard II. was praised by his bard as "a knight of England's king." [1] But nowhere do we find in the bardic poems or the historical tracts which are the expression of the Gaelic intellectuals anything to indicate that they or their patrons deliberately wished to repudiate immemorial Celtic custom or sovereignty for the laws or lordships of the Saxon. To be palatine

[1] See later, Chap XI.

lords supreme over their vassal folk with but a nominal King above them was another matter and strongly appealed to them—just as the great Hugh O'Neill in later times undoubtedly aspired to win the position of a palatine Earl of Ormond.

As yet Anglo-Ireland was not lost, and England's superior State machinery, and the ordered energy and driving force of the unexhausted colony, offered a prospect still of a united and anglicised Ireland. Norman, English, Welsh, and Flemish lords, vassals, and free tenants, had studded the land from Coleraine to Waterford and from the Liffey to the Corrib and the Maine. Irish tenants were frequent among the middle ranks of the Englishry, and in remote Kerry and Connacht far outnumbered them. If no general emancipation of the Irish had taken place, yet betaghry was already on the wane, and by the system of individual charters of liberty numbers of Irish settled among the English were being made equal in law.[1]

We have seen how the burgesses of Waterford backed the Ostman MacGothmond against the rural Englishry, and so did the newly-founded towns of Anglo-Ireland welcome the Irish, and offer the old race an opportunity to display within their walls its ancient industry and skill.

Before 1170 the towns of Ireland were either monastic and episcopal "*civitates*" or those urban republics which the Norsemen had built from Dublin round to Limerick. These Ostman towns could show no charter, for their self-government was essentially popular and derived from beneath. It was reserved for the Norman-English who arrived when the communal movement was in full flow on the Continent and in their own country, to introduce the typical mediaeval system of borough incorporation from above,

[1] The petition of Maurice Macotere in 1290 states that by letters patent conferring English liberty, the King (i.e., the Anglo-Irish government) had in one day made £3,000; if this statement can be trusted, it implies a great number of individual admissions of Ostmen and Irish.

and, by charters which created new boroughs or confirmed the rights of the old, to affirm the Roman-feudal conception that all right, to be legal, must come from superior authority.

The century after the Invasion saw the new type of town in full growth, favoured by King, lords and bishops, as garrisons and guarantees of the conquest, as centres of trade and industry, as providing rents. customs, and services.

Henry II. had enchartered Dublin with the liberties and free customs of Bristol, and free trade throughout his empire. A charter of Prince John in 1192 defined the city boundaries on a generous scale, granted the citizens a hundred court of their own, freedom from extern manor courts, gilds as the burgesses of Bristol had, and trade monopolies. In 1215 the already existing reeve or provost—"*praepositus*"—was to be freely elected, and the fee-farm, viz., the composition for all royal dues, was fixed at two hundred marks, Another royal charter, in 1229, allowed the burgesses to elect a mayor who should govern with the aid of a council. The merchant gild had by 1226 two hundred and twenty names on the roll, a proof of how strangers from England, Flanders, France, and Scotland had flocked from every part of the Angevin empire to enjoy the above privileges, and had swamped the old Ostman population of the town.[1]

Waterford, Cork, and Limerick retained a far stronger Norse imprint than Dublin, for Henry II.

[1] For charters to Irish towns, see *Chartae, Privilegia et Immunitates* (1171-1395). John's charter to Dublin in 1192 concedes this valuable monopoly: "no stranger shall buy wool, corn, etc., in the city save from a burgess, or stay to trade for more than forty days, or have a tavern for wine save in his ship where the Lord of Ireland may take two hogsheads (*dolia*), valued at 20s. each, for custom." For the history of the towns I use Gilbert's *Ancient Records of Dublin* and *Hist. and Mun. Docs.*, and the standard works of Lenihan, Hardiman, Ryland, D'Alton, Caulfield, Hore, Gale's *Ancient Corporate System of Ireland*, J. J. Webb's *Mun. Government in Ireland* (1918), etc. The archives of Galway and Waterford are calendared in *Reports of the Hist. MSS. Comm.* The roll of Dublin freemen *circa* 1200 has the amazing number of 1200 names, see Orpen, I., pp. 270-2: the merchant gild of 1226 is given in *Hist. and Mun. Docs.*, pp. 3, 48 and 77.

took the Ostmen of the first under special protection, Limerick retained a "Liberty of the Ostmen," and in each case the Crown reserved to itself "the cantred of the Ostmen" outside the city walls. In 1215 John gave Waterford the liberties of Dublin and the right to a reeve, who was to be chosen by twenty-four citizens forming a council; a charter of 1222 gave trading privileges and free trade through the Angevin empire and fixed the fee-farm at a hundred marks. The Mayor or Waterford is first heard of in 1289. Commanding as it did the great navigable rivers of the Nore, Suir, and Barrow, Waterford soon became one of the richest ports in the three kingdoms. Cork already had a reeve in 1199, when John granted to it the liberties of Bristol; in 1241 its fee-farm was fixed at eighty marks, its burgesses were freed from villein status and extern courts, and given a hundred court, a merchant gild, and a council of four and twenty. By the time of Edward II. Cork has a mayor of its own.

The "liberties of Bristol," the summit of civic independence under a mayor, were finally enjoyed by the five royal cities of Dublin, Waterford, Cork, Limerick, and Galway. Limerick got them in 1197 by a charter of John, who in 1210 conferred on the burgesses forty carucates of land from the "cantred of the Ostmen," and by the end of the century Limerick was governed by its own freemen meeting in common court.

A form of municipal autonomy, less advanced than that of Bristol, was "the law of Breteuil." William FitzOsborn, later Earl of Hereford, had enfranchised this town of Normandy in 1060. After the Conquest of England, he gave the same liberties to his town of Hereford, whence the first conquerors brought them to Ireland.[1]

[1] For the laws of Breteuil see Bateson, *Eng. Hist. Review*, 1900-03. The laws of Breteuil have no connection with the laws of Bristol, though often confused by earlier writers. By the liberties of Breteuil burgesses were freed from villein status, given self-government under a reeve, with a hundred court, fines limited to a shilling for ordinary offences, burgage rents at a shilling, a frontage and a few acres in the

The customs of Breteuil—"*consuetudines de Bretoil*"—conferred an extensive, if still subordinate, autonomy and most desirable privileges. In 1194, Walter de Lacy, Earl of Meath, gave the "free law of Breteuil" to Drogheda "south of the river Boyne," and in 1213 King John confirmed them to Drogheda "on both sides of the river." Drogheda "towards Oriel," that part namely which was north of the Boyne, was recognised in 1229 as a "*liber burgus*," with a merchant gild, a fee-farm of sixty marks, and the right to elect reeves and seneschals each year, and to choose two citizens to hold the pleas of the Crown before the justices on assizes. The portion towards Meath secured similar rights from Henry III., and in 1253 Drogheda "towards Oriel" got an elective mayor. Drogheda thus became a royal town, whose original Breteuil rights had been extended into liberties equal to those of Dublin.

In 1215 John granted Breteuil rights to Dungarvan. But in general these rights were given by lay or ecclesiastical lords to mediatised boroughs or "liberty towns" whose burgesses secured low rents and limited fines, while the lords retained rents and profits and that protecting authority which the fortunate burghers had no wish to eliminate.

From Hugh de Lacy, first Earl of Meath, or Walter, his son, the old Irish towns of Kells, Duleek, and Trim got Breteuil rights; from the Marshals or their seneschals and vassals Kilkenny, Carlow, Kells in Ossory, New Ross, Tristledermot, and other places got Breteuil rights, or others based on them, till a network of free boroughs studded the whole Vale of the Barrow and the Nore. Wexford, an old Ostman place, strangely enough did not get Breteuil liberties till Lord Eymar de Valence granted them in 1317.[1]

common field to every burgage, free multure at the lord's mill, and limitation of his power to fine. In all some twenty places in Ireland received Breteuil rights.

[1] While the royal towns got a mayor, the Breteuil and lesser boroughs got as chief magistrates a sovereign (superior) or reeve (provost)—the former having a higher dignity; thus Clonmel, Kilkenny, and New Ross had sovereigns.

In the Vale of Dublin Ballymore, Rathcool, Rathmore, and Tallaght were thus enchartered before 1240, by the FitzGeralds or the archbishops.

In the South Archbishop Donat O'Lonergan (1206-1217) endowed the population of Cashel, which must have been an Irish one, with the rights of a "*burgus*," a reeve of their own, and fifteen hundred acres of common land. His successor, Marianus O'Brien, in 1230 granted them a hundred court, keeping, however, manorial rights and rents. Marianus also endowed Fethard in Tipperary with rights like those of Cashel. The little town of Mungret in Limerick got Breteuil rights from Bishop Robert, who ruled from 1251 to 1272, and Daniel, bishop of Cloyne, about 1270 gave a charter of liberties to the burgesses of his cathedral town whether Irish or English—"*cujusque nationis sint.*" [1]

Apart from the true boroughs—numerous open places, market towns, and unchartered urban settlements, rising out of royal grants of markets and from the need of the colonists to cluster together, dotted the whole country from Dublin to Sligo, Tralee, Dingle, and Dunmore. Such were the Earl of Ormond's towns of Nenagh, Thurles, Fymothan, etc., in North Tipperary, and still the Irish place-name Borris (*buirghéis*) found in remote places such as Burrishoole in Mayo indicates old Norman attempts at borough-making.

The Ulster earldom had few places to rival the southern boroughs, yet in 1260 there was a fair population in Coleraine, and Downpatrick was in 1260 a corporation of the new type, the seat of an English colony, whose mayor led the forces that vanquished Brian O'Neill.[2] By 1300 the network of Anglo-Irish towns stretched from Coleraine—for Derry remained Irish under its bishop—to Carrickfergus and Carling-

[1] Laffan, *Records of Cashel*, *R. S. A. I.*, 1904, p. 33, and article on Fethard, *ibid.*, 1906, p. 143. For Mungret, Berry's *Statutes*, 3 Ed. IV. For Cloyne, the *Pipa Colmani* in *Cork Arch. Soc.*, 1915, p. 93.
[2] Orpen, *Earldom of Ulster*, *R. S. A. I.*, 1913.

ford, and thence to Dundalk, to which Theobald de Verdun gave in 1283 rights similar to those of Breteuil. From Dundalk a line drawn to Athlone took in many towns, some of considerable size, such as Ardee, Nobber, Siddan, Kells, Fore and Mullingar, which with the Norman manors formed the long line of defence for the colony south of the hills of Armagh and the unconquered lands of Monaghan and Cavan. Athlone was the English bridgehead into Connacht; Roscommon was the capital of an Anglo-Irish shire, and further west still Sligo, Dunmore, and a few other places were feudal *burgi*.[1]

Meath had no great town save Drogheda, yet Kells, Athboy, Mullingar (Petit's town), Navan, and Trim had liberties derived from their lords, and though the western ones dwindled away, still unto the age of the Tudors, whenever the Justiciar summoned the array of the Pale against "English rebel" or "Irish enemy" the portreeves of the fourteen towns of Meath led out their forces to war.[2]

Leinster and Ossory were England's greatest and richest colony, and a belt of incorporate towns encircled it from Dublin along the Liffey to Naas and Kildare, to Leighlin, Athy, Carlow, and Tristeldermot, commanding the Barrow; and to Kilkenny, Callan, and New Ross commanding the Nore down to Waterford. Here in Ossory the Butlers had also Gowran, Knocktopher, and Carrick-on-Suir. In Ormond Clonmel had a charter given by William De Burgo based on the

[1] The Issues of Athlone for four years ending 1266 amount to £112 odd (*Pipe Rolls, 35th Rep. D. K.*). The firm of Roscommon in 1323 was £12 (*Exch. Mem.*, XI., 15-16 Ed. II.). Athlone, however, had no sovereign till 1606. Mey's *Reg.* (MS. copy, T. C. D., III., p. 593) shows Ardee with a reeve in 1444 and with gates—the names of burgesses given are all English.

[2] Harris, *Collect.*, IV., p. 254, 1 H. IV.: the Justiciar summons the Pale, the cities of Dublin and Drogheda, and the portreeves of seven Meath towns against O'Conor and De Bermingham. Cusack's *Collection* (an MS. in T. C. D. [E. 3, 33] date 1511)—"the extent of Meath" names the following towns as having sovereigns or portreeves: Skreen, Athboy, Mullingar, Fore, Kells, Navan, Ratoath, Greenoge, Duleek, Slane, Siddan, Dunshaghlin, Dunboyne, Newton *iuxta* Skreen.

liberties of Kilkenny, and had a sovereign of its own in 1300, while in the broad plains of Ormond the Butlers had manor-towns at Nenagh, Thurles, Ardmayle, and other places, and the Archbishop had towns at Cashel and Fethard. In County Waterford there were but two inland towns, Athmetum and Kilmedan, but apart from the capital, Dungarvan and Youghal were flourishing ports. Next came Cork, and beyond that was England's last outpost along the southern coast, Kinsale, at first a mere manor of Andrew le Blund, but incorporated finally in 1333.

Thence stretched an unconquered country as far round the coast as Dingle, where began that Geraldine lordship which stretched to the eastern borders of Limerick and Cork, and here was a fresh chain of towns including Tralee, Kilmallock, and Glenogra. Though many of these Munster towns were but unwalled urban settlements, yet the greater ones were prosperous places with many streets and numerous inhabitants, Irish as well as English. Dingle and Tralee flourished by trading Irish wool and hides against Spanish and French wines and cloth, and Kilmallock, for example, had in 1300 four streets, twenty-seven burgages on the main street, a provost, and at least three Irishmen burgesses among its chief burgesses.[1]

North of Limerick was a *terra incognita* where the Irish blood far outweighed the thin stream of Norman-Welsh invaders. Connacht was ill-fitted to sustain on its ultimate shores and mountain coast prosperous enclaves of English citizens and craftsmen. Yet around the old O'Conor fortress on the Corrib arose De Burgo's town of Galway, which grew rich on the fishery of the bay and the lake, and on the wines and stuffs which its traders carried from Europe to the inland chiefs. In 1270 began the building and enwalling of the remotest town of European civilisation. For over a

[1] Begley, *Diocese of Limerick*, p. 178. The Irish names in the record (1340) are Robert and John Neyl who have four tenements and eight acres, and one Mey (Midheach or "Meathman"). In 1300 Kilmallock paid to a subsidy £20.

century Galway was a De Burgo town, and its lord named the magistrates, till in 1396 the English Crown, waving aside the hibernicised race of Clanrickard, gave it a sovereign, made it a royal town, and endowed it with the liberties of Drogheda.

Some twelve miles inland, at the "Ford of the kings," the Berminghams founded a Dominican priory and built the town of Athenry. But not till 1310 did it get its charter of incorporation, nor till 1316 its defences, when it was walled with the spoils of the Irish slain at the battle of Athenry.[1]

Sligo marked the furthest limit of the burghal movement. FitzMaurice built a castle here in 1245, but his race lost its Connacht lands before the century ended. The Red Earl de Burgo laid out a town in 1310, but it could not stand against the attacks of O'Donnell, and after 1400 it became the seat of O'Conor Sligo, and in Irish hands was still the centre of a vigorous fishing and carrying trade.

Inland, the thirteenth century saw Ballinrobe, Dunmore, Kilcolgan, and a few other attempts on the part of Burgos, Berminghams, and FitzGeralds to found permanent Anglo-Irish boroughs, which failed. So with most of the borough-colonies: only those of the sea-coast, east and south, flourished, and of these even some were destined to strange and picturesque histories very unlike their origins.

Finally we note that in all the country from Sligo to Coleraine, not one English town-foundation was even attempted. Like the Norsemen the English failed to hold the seaboard of Connacht and Ulster, and therefore like the Norsemen failed to conquer Ireland. In all Ulster west of the Bann, in Longford (spite of Tuit's manor at Granard), in Brefni O'Ruairc, in all Roscommon, in the south midlands of Leix and Offaly, though a few Norman castles were raised, no English towns appeared. A line from Nenagh to Kilkenny and thence to Kildare and north to Mullingar marked the

[1] *Laud MS. Annals, sub* 1316.

advance line behind cover of which the Anglo-Irish colonies had pushed forward from east and south.

In the year 1300 the Justiciar, Wogan, visited the royal cities and the counties of Tipperary, Limerick, and Waterford, raising the quotas of a State subsidy. Thirty-three towns in all are named, and as Leinster, Meath, Kerry, Connacht, and Ulster are excluded as Liberty lands, it is the more remarkable that fifteen chief towns of the remaining areas pay from two hundred and sixty marks in the case of Cork, to five pounds in the case of Kilmedan in County Waterford. Of the thirty-three towns Counties Tipperary and Limerick have each ten and Waterford seven.[1]

Such at the height of English lordship was the tale of the boroughs in a part of the South, and far different was to be the tale in 1400.

The Anglo-Irish towns, centres of French and English speech, garrisons, depots of an active trade and industry, were the only element in mediaeval Ireland which remained consistently loyal to the English tradition. Their blood was indeed a very varied blend of Irish, Ostman, Flemish, Welsh, and Saxon elements, but their tradition was unwaveringly English and plebeian.[2] Enemies of feudalism—whether of Irish or Norman brand—they naturally allied with the Anglo-Irish State and the Lord of Ireland against

[1] *Just. Rolls*, I., p. 304. To the subsidy, which Wogan illegally exacted before Parliament met, the rural parts of the area visited contributed £1,243⅔ and the towns £789¼—a very rich yield from only the chief cities and three counties. The fifteen chief tax-paying towns are in order—Cork, Drogheda, Dublin, Waterford, Youghal, Kilkenny, Limerick, New Ross, Kilmallock, Cashel, Dungarvan, Emly, Kilmedan, and Athmetum. County Kilkenny was not taxed, but Kilkenny town was.

[2] On the Ostman element we have touched. The Irish is marked from the first, and appears often in the civic records. In Galway even among the famous Tribes of that city, Lynch is Irish (Loingsech =a mariner). In Limerick Meagh (Midheach, a Meathman); in Cork, Mead (the same), Ronayne and Morrogh were leading names. In Kilkenny there was great race-equality, the bishop's vill of Irishtown just across the Nore had burgess liberties, and there was a *Villa Flamingorum*, or quarter for Flemish weavers in the city, where a street was still called in Irish in 1846 *Sráid na mBodach* (street of the boors), see Prim in *Kilk. Arch. Soc.*, 1849-51, p. 37.

'English rebels and Irish enemies," and were as ready to fight against O'Neill and Bruce in the earlier period as they were against O'Brien, Simnel, and the Geraldines in the later. Without these strongholds, Anglo-Ireland would have followed the Gaelicised Normans of the fifteenth century clean over to Irish speech and tradition; without them in the Tudor age the Re-Conquest would have been impossible.

But theirs was a proud and spirited loyalty. Isolated in a country where the feudal enemy was near and the Crown an absentee, the Irish towns formed a stubborn tradition of republican independence. The greater ones resembled more the communes of Italy than the sleek boroughs of England. In order to keep them, the Lord of Ireland showered on "his good towns" abundant rights and responsibilities, they were ordered to keep galleys and weapons of offence and defence, given murage grants, had taxes remitted, wide admiralty and *contado* jurisdictions given, and had the highest local powers vested in their mayors and sovereigns. With royal dues based on a stereotyped value of money, dues which were indeed often remitted or fell into abeyance, taught independence and self-reliance by every fact of their situation, the Irish towns emerged into the Jacobean age, a sore offence of liberty to the New Monarchy and its agents.

Even the greatest of the Irish towns remained small by contrast with a London or a Bristol, yet even the smallest of them stood fiercely by their chartered rights.[1]

Without voice in the Council of Peers, left to their own devices by an absentee Crown, the Irish towns formed inter-civic leagues like those of Lombardy. In 1252 Dublin and Drogheda made a compact by which the men of Dublin are made free of Drogheda, disputes shall be settled by a common council, there shall be

[1] Thus in 1297 the burgesses of Kildare claim to have correction of all trespasses within the boundaries of the borough by charter of the lords of the Liberty except the four principal pleas, robbery and other felonies, and breach of the assize of wine. (*Just. Rolls*, I., p. 174.)

mutual aid against enemies, and petitions to the King and other shall be by joint assent. In 1285 a League was made which included Dublin, Waterford, Cork, and the two Droghedas, whose envoys shall meet annually at Kilkenny to discuss common affairs, and if any of the leagued towns shall fail to observe the treaty thus made and signed at Kilkenny under common seal, they shall suffer heavy penalties.

Warned by such a spirit, the Irish government had the wisdom to summon the towns to Parliament in 1310, and so for a century and more taught them to look to the Anglo-Irish State for direction and support.

In their beginnings the towns rejected that anti-Irish spirit which animated many of the rural colonists. The earliest population of many of them was of necessity Irish, especially in ancient seats such as Cashel, Cloyne, Kells, Downpatrick, Trim, Kilkenny, and Kildare. The earliest civic records show many Gaelic names. Later Irishmen obtained the civic freedom with the approbation of all. The general mediaeval " year and a day rule " enabled many betaghs and poor tenants to escape from manor servitude. Thus an early Dublin by-law of 1305 says—" villeins and betaghs who by permission of the mayor and commonalty remain in the city for a year and a day, are thereby freed from their lords." The charter granted to Drogheda " towards Oriel " in 1253 allowed that if any held a tenement for a year and a day it was his against all others thereafter. In 1307 the burgesses of Drogheda declared : " Irishmen by custom of Irish towns being burgesses are as free as Englishmen." The charter of Bishop Daniel to Cloyne in 1250 was made to all burgesses " whatever be their nation." [1]

[1] Gilbert, *Cal. Ancient Records of City of Dublin*, p. 224, and Lawlor, *Cal. Sweetman's Reg., P. R. I. A.*, 1911-12, p. 328. For grants of English liberty, see Gilbert, *Hist. and Mun. Docs.*, p. 543 : Robert de Bree, Irishman, is granted English law along with his five daughters (1291) ; and when Hugh Kent, burgess of Galway, petitions for the same (*circa* 1292) it was granted, and in the answer it was stated that " the King commanded his Great Council held lately at London that this grant should be made to all who demand it, for his Council

As oligarchy grew, in Irish towns as in English, and the original free and democratic note faded away, the anti-Irish spirit grew, but there is every evidence that the anti-Irish acts on the civic Statute books of the fifteenth and sixteenth centuries were not seriously meant, and anyway could not be enforced. Self-interest alone would prompt the recruiting of their worn-out blood by the admission and the enfranchisement of the skilled and laborious craftsmen of the native race.

showed him that it would be greatly to his advantage." (*C. D. I.*, III., p. 525 and *ibid.*, No. 924, for Bree.) In his excellent little book, *Municipal Government of Ireland* (1918) Mr. J. J. Webb, M.A., maintains that the Irish were treated badly in the towns (Chap. VI.). I cannot agree that this is true of the earlier period at least. For the trade of Anglo-Ireland see latest edition of Mrs. Green's *Making and Unmaking of Ireland*, a final chapter in Orpen, Vol. IV., and *Mediaeval Trade with Ireland*, by Westropp, *P. R. I. A.*, 1912-13.

CHAPTER IX

THE SECOND IRISH RESURGENCE, 1310-1327

THE first few years of Edward II.'s reign in Ireland prolonged the aspect of his father's. Wogan held office till June 1308, when Piers Gaveston, Earl of Cornwall, the first of those favourites over whom the new King was to ruin himself, came over as Lord Lieutenant, and till June 1309 enlivened Dublin with a gay court and an imposing army. Gaveston won a little military prestige by subduing the Wicklow clans, but tired of Ireland and soon returned to his master, Edward.

Wogan then resumed control as Justiciar, and enlisted the forces of the colony for fresh efforts against the Scots. In 1310 the Earl of Ulster was appointed "*ductor*," in 1314 "*capitaneus*" of the Irish contingents. In this latter year the appeal of Edward II. from Westminster included twenty-six Gaelic chiefs. But De Burgo at least must have had little enthusiasm, for in 1296 his sister, Egidia, had married James the Steward of Scotland, and in 1302 his daughter, Elizabeth, had married Robert Bruce, crowned King of Scots in 1306.

Never again were the Anglo-Irish lords to be at once so powerful, numerous, and loyal as now. The territorial power of the Red Earl was enormous, for apart from his twenty-five cantreds in Connacht, he had in Meath, Leinster, Ulster, and Munster more than a thousand librates of land in chief of the Crown, and a revenue large in money, but far greater in kind. Besides the feudal levies of his English, he could call up great armies of Irish vassals.

Edmund Butler was now head of his race after his

brother, Theobald, who died in 1299. Geoffrey de Geynville in 1308 retired into the House of the Friars Preachers at Trim, and left his Liberty of Trim and his moiety of Meath to his grand-daughter, Joan, and her husband, Roger de Mortimer, for his sons had died before him. In 1309 died Theobald de Verdun, who had inherited the western moiety of Meath from Margaret de Lacy, his grandmother, and his claims passed to Theobald, his son.

Thomas de Clare, Lord of Thomond, had left at his death in 1287 two infant sons; of these Gilbert succeeded him and died in 1308, then the second son, Richard, succeeded.

Roger Mortimer, who landed in 1308 to take his Irish heritage, was an imposing personage. Through his grandmother, Gwladys Dhu (the Black), daughter of Llywelyn the Great, he was half-Welsh, like the first conquerors of Ireland themselves. From his grandsire, Roger of Wigmore, husband of Maud de Braose, he also inherited Leix, a fifth part of the Marshal earldom with its formidable rock-castle of Dunamase. His grandmother, Maud, Lady of Leix, was now dead in the same year as Geoffrey de Geynville (1308), and Roger thus succeeded to a double heritage in Meath and North Leinster.

The return of so great an absentee was watched with jealous eyes by the established grandees, and throughout his career Roger had to meet their ill-veiled hostility.

It was the standing fear of the First Families that at any moment men whom they regarded as foreigners would return to claim vast Irish lordships, which they did little to defend or administer. But there was a second bitter grievance in the feudal custom by which Anglo-Irish heiresses carried their fiefs to English husbands. Against this the Norman-Irish opposed the custom of tail male. The Gaelic law barred women from lordship and their sons from chiefly succession, and an Irish maxim ran: "The land which has no

lord is a dead land." [1] The established Norman-Irish readily adopted so convenient a tradition.

Already the Baron of Offaly dying in 1287 without heirs male had left the whole inheritance of the Geraldines to his grand-uncle's son, John FitzThomas. Any baron of Ireland might leave only a daughter, but there were seldom wanting brothers, uncles, or cousins of his, and these defied the English succession-law where it was so inapplicable to a land of war, and so repugnant to a race which had won the land with the sword. For example, when Meath was partitioned between the daughters of De Lacy in 1241, and again in 1308 between Roger Mortimer and Theobald Verdun, the transaction ignored the existing claims of the Rathwire or junior branch of the Lacys which sprang from Robert, Baron of Fairbill, cousin of the first Earl Hugh. These Lacys thought Meath should have been theirs, and chafed against these foreign claimants. A junior branch of the Verduns themselves, located in Louth, openly took arms when the English Verdun appeared to take seisin of his lands. Every attempt, as that of De Clare in Thomond, to set up a new lordship, was bitterly resented by the established. But for the time the magnates sank their feuds, and in 1309, FitzThomas, De Burgo, and Mortimer went to the King's Court together.

Undoubtedly the pre-occupation of the Anglo-Irish with Edward's Scottish wars aided the native resurgence. Lacking as this was in apparent cohesion, and devoid till now of spectacular events, we cannot doubt that a widespread revolt was preparing among the Gaels, not only among the chiefs and their fighting-men, but also among the spiritual and intellectual leaders of the race.

The question of the Churches was one of the bitterest points of contention. Already in 1297 the prelates of Armagh and Down had been indicted for refusing to receive clerks of English blood. The

[1] *Tir mharbh tir gan tighearna.*

Gaelic bishops and abbots resisted the influx of men foreign in language and sympathy, and the native people resented the appointing of foreign prelates who were little better than English officials. The colonists, on the other hand, feared for the gaelicising of the Church, and in time of the whole land, through an influx of the native priests and monks. The Government could control Parliament, and still keep the colony English, but it was no easy matter excluding Irishmen in their own country from Ireland's branch of the Universal Church.

The spirit of the monastic orders and the Friars was particulary bold, and in 1299 the English bishop of Kildare fulminated against certain friars "who in the Irish language spread the seeds of rebellion." [1] The natural rejoinder was to exclude Irishmen altogether from the monastic houses, and in February 1310, the Irish parliament at Kilkenny enacted that no pure Irishman (*nullus merus hibernicus*) should be received into religious houses "among the English." But so openly un-Christian a division was not to the taste of the best men of the time, and Wogan revoked the act almost at once (May 1310) by order of the King and at request of Walter Jorz, archbishop of Armagh, and other magnates.[2]

The fault, indeed, was not all on the English side, and the oldest Cistercian house in Ireland in the very Pale itself reflected in itself the national-ecclesiastical feud. In 1297 Edward commanded the Abbot of Mellifont that half of the monks in houses under him should be of English race, and in 1306 he had the temporalities of the abbey seized on the ground that

[1] *C. D. I.*, IV., No. 2035.

[2] *Nullus merus hibernicus*, or "mere Irishman," originally meant simply a Gael of the independent races which were not subject to, or domiciled among, the settlers. The Rev. M. MacInerny has treated of this question of the churches in his admirable piece of research work, *A History of the Irish Dominicans*, 1916, Vol. I., pp. 563-6 and 574. Wogan's annulment, however, had to be re-confirmed in 1336 at the request of the *regular* clergy of Ireland because the Treasurer of Ireland had spoken as if the Statute were still in force.

the monks were mere Irish. In 1322 it was complained that the monks would only admit those who swore they were not of English race, and the heads of the Order in England recorded its detestation of such a damnable division wherever practised, and warned the Cistercian abbots of Ireland, of whom grievous complaints had been made, that they should indifferently admit persons of all nations.[1]

In the lay order the strife was fought out with handier weapons. By a single deed of treachery the English of Ferns, once King Dermot's capital, removed four chiefs of the MacMurchadas (1305) and suffered little punishment.[2] One of the greatest of the Norman-Irish was not ashamed to boast openly of a still more savage deed. Piers de Bermingham, baron of Tethmoy in Offaly, invited the O'Conors, the Irish kings of Ui Failghe, to celebrate the feast of Holy Trinity at his castle of Carrick, in Carbery, and had his unsuspecting and unarmed guests slaughtered (June 13, 1305). Murchertach, the O'Conor Faly, his brothers, Calvach and Maelmóra, and twenty-nine of their chief men, were butchered; a ghastly collection of heads was sent to Dublin, and Sir Piers received not only approval and reward from Wogan's Government, but the glowing eulogies of the Anglo-Irish.[3]

That such a general clearance failed to extinguish an Irish dynasty alone illustrates the insuperable difficulties of a thorough Conquest. Such a slaughter

[1] MacInerny, *op. cit.*, pp. 576-5.

[2] *Just. Rolls*, II., p. 89, Pleas of Crown. Henry Murght, Donald Og, and Murtagh Mor McMorgh all feloniously slain in Ferns, though coming under safe-conduct of the Justiciar. The jurors found John Hay guilty of murder, but he made fine for 70s. Two other murderers were handed over to the Seneschal of the Liberty of Wexford to do justice on. No evidence what punishment they suffered is given.

[3] See Clyn, *Book of Howth*, *Laud MS. Annals*, and *F. M.* *Just. Rolls*, II., p. 82: it is agreed by the Justiciar, Wogan, and the whole Council in presence of the Earl of Ulster that Piers have £100 for decapitation of the O'Conors. A contemporary ballad in English praises the exploits of Piers against the Irish (*Nat. Facs.*, III., Pl. IV.), and Grace, recording his death in 1308, calls him *nobilis debellator Hibernicorum*. *Laud Annals* puts the slaughter down to Jordan Comyn.

would have more than wiped out the Butlers or other such feudal stock, but while the Irish law provided the reigning chief with so many *rig-domnas* the complete extinction of heirs to the succession was all but impossible.

A general Leinster confederacy answered such deeds as this. In 1305 Ballymore, Athy, and other strongholds of the English on the Barrow and the south marches of Dublin were burned and "great war arose, and Irishmen came to help the Irish of Leinster from all parts of Ireland." Then in 1311 "a great army assembled out of Leinster to expulse and drive away the Berns and Toles out of Glandelor (Glenmalure) and other strong places, and Sir Edmund Butler, in Lent following, did overcome O'Brene in Glendelore, and force him to yield." [1]

Clearly the Irish chiefs were becoming day by day more formidable and equal in outward show and military prowess to their Norman rivals. Their castles rivalled those of the Englishry. In 1300 we hear of Aedh O'Conor's building a "*pailis*" at Clonfree, in Roscommon, and Donal O'Neill had a castle at Dungannon, where his race now fixed its seat.[2] The silver seals of Irish princes show them on horseback like Norman knights, and in battle they appeared in helmets and coats of steel. The general employment of Scottish *galloglaigh* stiffened the forces of the Northern and Western chiefs and made them into armies, and more and more did the two aristocracies which were to divide Ireland approximate to one another.

The wise statesman, Wogan, now left the Irish stage (August 1312). His last public service was to

[1] *Laud Annals*, pp. 333-342 *passim* and *Book of Howth*. In 1307 *Murcod Ballagh "princeps Lagenie,"* head of the MacMurchads, was slain at Merton by Sir David Caunton (Dowling and *Laud Annals*).

[2] For the poem on O'Conor's house at Cluanfraich, see Quiggin in *Essays, etc., presented to William Ridgeway* (Camb., 1913), p. 333. It was built by Aedh, son of Eoghan, son of Rury O'Conor, who reigned 1293-1309. The poet says: "For Aedh of the fair smooth locks to abandon Cruachan's rampart for Cluanfraich is no reproach."

lead the royal army against the revolted Verduns of Louth. Wogan was defeated, and the whole business was most significant. Inured to war and nursed in the spirit of feuds, the Anglo-Irish did not hesitate to oppose the army of the State under the King's viceroy himself and inflict a shameful defeat upon him.

Feudal and personal aims were stamped over all the actions of that colonial nobility which ruled Ireland, and the test of their loyalty to the Crown and to one another was now to come. The forces of Anglo-Ireland were summoned to Scotland once more, in March 1314, but in vain; for Bannockburn was fought on June 24th; and the Scots now carried the war into Ireland.

Edward Bruce had played a great part in the victory which put the crown of Scotland on his brother's head. Robert now looked around him to find a second crown for Edward, whose warlike and aspiring character might be dangerous if pent up at home.

A fair field for Scottish intrigue lay open in Ireland and Wales. Already the Bruces knew Ireland well, for Robert was son-in-law of the Earl of Ulster; and Robert after his defeat at Methven had spent the winter of 1306-7 in Rathlin where the Gaelic chiefs of Kintyre and Byset of Antrim protected him and the Earl of Ulster must have connived at his safety. When in the spring Robert and his brothers sailed for Loch Ryan they had Irish allies with them.[1] Moreover, the King of Scots was Earl of Carrick through his mother, Margery, grand-daughter of Duncan of Carrick; this title he passed on to his brother, Edward, in 1313, and Edward was thus not only in a favourable geographical position to invade Ulster, but actually had territorial claims there.

The Irish chiefs had watched the triumph of the Bruces with joy, and applied the lesson of Scottish resistance to their own case. They were well aware that the Bruces on the female side went back to Fergus

[1] Stevenson, *Select Docs. of Scottish History*, 1286-1306, *passim*, and Ramsay, *Dawn of the Constitution*.

mac Erca and the Milesian kings of Erin and Alba, and within living memory during the coronation of Alexander III. as King of Scots at Scone (1249) a Highlander had, as was customary, recited in Gaelic the young king's pedigree back to Fergus and "Iber the first of the Scots." The "lingua Scotica" still meant the common Gaelic language of both countries: this was the language of all Northern and Western Scotland, and Anglian was confined entirely to the South-east or Lothians. The Bruces realised the value of their Irish descent in enlisting support both from Gaelic Scotland and Gaelic Ireland, and familiar as they were with the mixed racial features of their own realm, they were prepared for a similar task in Ireland.[1]

The masterly mind of Robert and the adventurous heart of Edward Bruce launched the great enterprise, but not entirely in the void. Donal O'Neill, who had ruled the Cenel Eoghain since 1295, along with his vassal chiefs bore ill the heavy yoke of the Ulster Earl; son as he was of Brian "of the battle of Down" he aspired to fame as a deliverer of his race; and now the moment had come to surrender his hereditary claim to the Throne of Tara to one nobler than any of the "Saxon Foreigners" and sprung from Gaelic kings. O'Neill and the Irish chiefs made one further appeal to the English "Lord of Ireland," but in their hearts they accepted Bruce from the moment of his landing as an Ard Rí from Gaelic Alba.

[1] For the diffusion of Gaelic in Scotland see R. S. Rait's *Relations between England and Scotland*, 500-1707. It seems certain that Gaelic was spoken in Galloway and Carrick (the Bruce's own country) till the middle of the eighteenth century. Gaelic and French were in 1300 the languages of the ruling class. Barbour's *Bruce* (written in 1375) is the beginning of the Scottish contribution to English literature, he wrote it, as he says, in "Inglis." Fordun (d. *circa* 1394) in his Latin work, *Scotichronicon*, divides the Scots as speaking either the *lingua Scotica* or the *lingua Teutonica*, the latter being English; it is Fordun who describes the "Scotus montanus" retailing Alexander's descent *Scoticis verbis*. The charters of Malcolm IV. and William the Lion, covering 1153-1214, speak of their subjects as Franci, Anglici, Scoti, Galwegenses et Walenses (the latter being the Strathclyde "Welsh" of the South-West).

A general Celtic league was planned against England, and Robert Bruce got into touch with the malcontents of Ulster and Wales from Man, which he captured in 1313.[1]

Anglo-Irish feuds offered further possibilities. The Verduns and Lacys were in arms, and the Red Earl, who hated new-come Englishmen as much as they did, took them under his wing, and knighted Walter and Hugh at Trim in 1308, whereupon the two Lacys openly claimed western Meath on the death of the elder Theobald de Verdun in 1309, besieged the younger Theobald in Athlone castle, and forced him to surrender. The Irish Verduns, under a Robert of that name, also rose against their English kinsman and shamefully defeated the Justiciar Wogan himself in 1312, but in the same year Sir John de Bermingham, son of that Piers of Tethmoy who slaughtered the O'Conors, expelled the Lacys from Meath. Naturally the latter looked for aid to the rising star of the Bruces, and a strong faction of the Meath gentry were behind them. In Eastern Ulster the male Bysets of the Glens had a similar grievance to the Lacys and were more than ready to welcome the Bruces, with whom they were in immediate touch. A successful Scottish invasion promised to make Sir John, head of the Bysets, the greatest man in the North-east, and secure to the discontented Lacys the western half, possibly the whole, of the former Earldom of Meath.[2]

[1] Harris, *Collect.*, I., p. 395 (1310): the King's letters "*pro adhaerentibus Roberti de Brus in Anglia, Hibernia et Wallia arrestandis*," speaks of Bruce's adherents in Man. According to Powell's *History of Wales*, pp. 311-12, Sir Gruffydd Llwyd urged the union of the "Albanian Scots" with the Britons against the Saxons, and Edward Bruce, then in Ireland, agreed to invade Wales on condition he should have such lordship over the Welsh "as your prince [the last Llywelyn] formerly most fully used to exercise." Gruffydd revolted, but was defeated by an English army and imprisoned in Rhuddlan Castle.

[2] For the earlier Bysets see Orpen, III., p. 256. Walter Byset, a Scotsman of Galloway, had been enfeoffed by Hugh de Lacy, Earl of Ulster, in Rathlin and lands about Glenarm. When John Byses died in 1260 without heirs male his lands by law went to heiresses, but his collateral kinsmen held on to the lands, became known at

Meanwhile, with De Burgo at feud with Mortimer and the lesser magnates taking sides, there was little unity in the higher command in Anglo-Ireland.

When it became evident what was afoot, Edward II. sent a special envoy to Ireland, namely, John Hotham, later bishop of Ely, to discuss the affairs of the realm with the magnates; and in March 1315 gave Edmund Butler his commission as Justiciar, and addressed general letters of credence to the prelates, nobles, and commons of Ireland, and particular ones to twenty-two Gaelic chiefs and sixty-three bishops, abbots, lords, and town magistrates, enjoining on them to hear and assist the Justiciar and his fellow-officers. But the decisive interval had been ill-spent, and the storm now burst on an unprepared country.

On May 25th, 1315, Edward Bruce landed near Larne on the Antrim coast with 6,000 fighting-men. With him were the Earl of Moray, Sir John Monteith, and other Scots nobles, the Gaelic chiefs, MacDougall and MacRury of Argyle, and Sir John Byset.

Before long a large part of Ireland was for Bruce or stood neutral, prepared for his triumph. "There adhered to them (the Scots)," says Clyn, "while they were in Ireland almost all the Irish of the land, and few kept their faith and loyalty." [1]

MacEoin, and were lords there till 1400, when their heiress, Margery, married Eoin MacDonnell of the Isles. As for Lacys and Verduns: in July 1312 Wogan was "miserably overthrown" by Robert and Nicholas de Verdun and their accomplices (*Laud MS. Annals*). The death of Theobald the elder in 1309 had roused the hopes of his Irish cousins, who seized Ardee and the Lordship of Louth, and in 1312 defeated a force of colonists, who had the Justiciar's commission, near Ardee. Forty-five chief Anglo-Irish of Louth and Meath were associated with them. See for the whole case of the Verduns and Lacys, 1312-1317, the law-proceedings in *Chart. St. Mary's*, II., App. II. and III. According to their enemy, Mortimer, the Lacys were the villains of the piece; they themselves denied any real complicity with Edward Bruce, but clearly they and the Verduns had, since 1308, resisted by arms the legal transference of Irish property to the heirs-at-law.

[1] That Clyn does not exaggerate is shown by the fact that Dermot MacCarthy of Desmond had to be pardoned after the Bruce invasion, and it is clear that Ulster, Thomond, Connacht, Meath, and Leinster joined in the revolt. The Scottish side of the Bruce episode is told in Barbour's *Bruce* (ed. Skeat) and Fordun's *Scotichronicon* (ed. Hearne). For the native Irish side *Loch Cé*, *Ann. Ult.*, etc., but

According to a complaint made later by Edward II. to the Pope " the prelates of the Irish race do not cease to provoke against us the spirit of the people," and many of the native friars and secular clergy openly incited the Irish to renounce allegiance to England.[1]

Bruce's first triumph was an easy one over the local levies of the Ulster colonists under Mandeville and Logan, whereupon Donal O'Neill, O'Cathain, and four other chiefs of Eastern Ulster renounced allegiance to De Burgo and joined the Scots. But Aedh O'Donnell, who had in his MacDonnell *gallóglaigh* the most formidable troops of any native chief, preferred the waiting and isolated policy of his race.

Bruce's army was one of tried veterans, no colonial force could stand against him, and time and time again did the Scots roll over the light armies of the colony. Their Irish allies with their mobility and knowledge of the country made excellent auxiliaries, though the Scots chronicler accuses some of them of treachery, and of waiting to see which of the combatants was like to prevail.

On the other side the feuds and divisions of the colonial magnates fatally weakened their cause, and the English Government sent no troops over till the end of 1316.

Dundalk was the first considerable town to fall to Bruce (June 29th, 1315), but Carrickfergus, which he designed as his port of entry from Scotland, though close beset, held out against him for over a year.

contemporary evidence is scanty. The *Cath Fhochairte* (" Battle of Faughart "), ed. and trans. by H. Morris in *Louth Arch. Soc.*, Vol. I., represents a modernised form of an old Gaelic account of the invasion.

[1] In August 1316 King Edward wrote to the General of the Friars Minor in Ireland complaining that some friars were stirring up the lay Irish to rebellion. In April 1317 John XXII. wrote to the archbishops of Dublin and Cashel that friars of the mendicant orders and many rectors, etc., of parish churches in Ireland labour to rouse the Irish people to renounce fealty and impugn the royal rights (*Foedera*, III., p. 295, and *Nat. Facs.*, III., Pl. XII.). In the same year, the Pope excommunicated Edward Bruce and all his adherents in Ireland, " and all friars minor who preach rebellion " (*Foedera*, III., p. 643, and *Cal. Pap. Reg.*: 1305-42, pp. 127-38 and *passim*).

The Earl of Ulster was now in Connacht, from whence he raised a large army and marched against Bruce. The Scots fell back and fought their first great battle at Connor, in Antrim, on September 10th, 1315. The Red Earl was totally defeated, but escaped from the fight, while his cousin, William Liath (the Grey), son of William Óg slain at Athankip, was taken and sent captive to Scotland.

Edward then invaded Meath, where Roger Mortimer dared him to battle, but was defeated at Kells, early in December, owing, it is said, to the treachery of the Lacys, Walter and Hugh. The two latter now openly joined Bruce, guided him into the Midlands, and brought over to his standard no less than seventy of the chief gentry of Meath and four Gaelic chiefs, of whom O'Melachlin represented the ancient dynasty of the province.

After spending Christmas at Lochsewdy, Bruce then penetrated into the Geraldine lands of Kildare, and at Sketherys, near Ardscull, overthrew the royal forces under Butler and FitzThomas (January 26th, 1316). But to secure the North was his first need, and he retired to Carrickfergus. The siege of this place became a test of strength; the Dublin government sent fifteen ships with men to it, and the garrison of the citadel, though their commander, Thomas de Mandeville, fell, beat off the determined attack of the Scots on Easter eve, April 10.

At least Edward Bruce had made his claim to the Throne of Ireland good. The Ulster Irish urged him to take the Crown; Donal O'Neill renounced in Bruce's favour his ancient hereditary right; and Edward, therefore, was crowned King of Ireland in the open air on the hill of Cnoc Maeldúin (Knocknemelan), near Dundalk, on May Day, 1316, amid the plaudits of many Irish allies.[1]

[1] *Loch Cé*: "the Gaedhil of Ireland proclaimed him King of Erin." The northern Irishmen gave substantial help, and when the two Bruces marched against Dublin in the early spring of 1317 they had with them in addition to the Scots the Irish "army of Ulster."

The consternation among the Irish magnates was naturally great. Each of them boasted he alone could raise an army "sufficient in itself to subdue the Scots," but they could in fact neither win nor unite. Yet the tepid government of Edward II. threw the saving of the State upon them. In February 1316 Hotham brought the ten chief magnates together in Dublin, and made them swear "in life and death to hold with the King of England, to make peace in the land, and destroy the Scots." If the other magnates would not swear to this, they were to be held enemies of the King. The greatest of them all, Richard, Earl of Ulster, was absent, but after the fall of Carrickfergus in September 1316 the nobles met again to swear to die for their Lord the King of England, and this time De Burgo was with them.

To stiffen their loyalty, Edmund Butler was given "the name and honour of Earl of Carrick" in September 1315, and in April 1316 John FitzThomas was made Earl of Kildare with the hereditary sheriffdom of the county, an honour which he did not long enjoy, for he died on September 8th of that year. In July 1316 Theobald de Verdun also died, and though his brother, Milo, continued the main line of the family, the Lordship of West Meath, or Lochsewdy, lapsed with Theobald, who left only daughters who married absentees, and thus half this province was finally lost to English law.

Meanwhile an almost universal rising of the native people swept the country. A confederacy of O'Tooles, O'Byrnes, and the hibernicised Ostmen, the Harolds and Archbolds, attacked the marches from Arklow to Bray. In the north-west Aedh O'Donnell seized the moment to level De Burgo's castle of Sligo and enforce the vassalage of O'Conor of Cairbre.[1]

It was, however, to Connacht that Bruce looked

[1] *Loch Cé*, 1316: "Ruaidhri, son of Domhnall O'Conor, gave to O'Donnell the Lordship of Cairbre." The barony of Carbery, Sligo, had been Fitzgerald's till 1299, then De Burgo's. This branch of the O'Conors were later called O'Conor Sligo.

most anxiously, for it was in Connacht that Ireland would be lost or won.

From 1293 to 1309 Aedh, son of Eoghan, descendant of Cathal Crovderg, had ruled the O'Conors, and was then slain by his rival, Aedh the Brefnian, head of the Clann Murchertach. The latter, however, kept power only for one year, and was then assassinated by MacQuillan, captain of his bodyguard. His brother, Rury, took up his claims, but Aedh mac Eoghain had left two sons, and Felim, the elder of these, was now in 1310 elected king at the age of twenty by the powerful MacDermots of Moylurg.

The brief career of this young prince was a romantic one, and perhaps in the whole Bruce drama his is the figure which most touches our emotion.

When Richard de Burgo marched northwards on the campaign which ended at Connor, the young Felim accompanied him, but before the battle Bruce sent secret messages to O'Conor, offering him, if he would desert the Earl, the undivided sovereignty of Connacht. Felim no longer waited for the battle, but returned home, excusing himself to De Burgo on the ground that his interests there were in danger from Rury mac Cathail. But the crafty Bruce had also communicated with Rury, urging him to attack the Englishry of Connacht, but to spare Felim. Thus enheartened, Rury devastated Athlone, Roscommon, and other strongholds of the colonists, and was inaugurated in great triumph at Carnfraich.

When Earl Richard got back to Connacht, he found Rury in possession, and the annals of Loch Cé describe how the Earl entertained at once four disinherited chieftains, Felim O'Conor, Murchertach O'Brien, Maelruana MacDermot, captain of Felim's host, and Gilbert O'Kelly of Hy Many. "But he could do nothing for them, for during this year he was himself a wanderer through Erin, without sway of power."

Early next year, Felim summoned his adherents, met his rival, Rury, at the Causeway of Móin-coinnedha,

and slew him with seven of his chiefs and many besides, "noble and commons" (in March 1316). Felim thereupon "assumed the sovranty of Connacht from Assaroe to Echtge," forsook the Earl, and aspired to expel every foreigner from the province. But this alienated from him all save the Irish themselves, and William *Liath* de Burgo, returning ransomed from Scotland, mustered the Berminghams of Athenry and all the available Englishry of Connacht and Meath. On the other hand, a great national levy flocked to O'Conor's leopard banner, and Donnchad O'Brien, O'Melachlin of Meath, O'Ruairc of Brefni, and Taig O'Kelly, chief of Hy Many, with many other lords of Connacht, Thomond, and Meath, assembled in the greatest Gaelic confederacy since 1260.

The two armies, for once clearly divided in race, met close by Richard de Bermingham's town of Athenry, Felim commanding the one side, and William de Burgo and Bermingham the other, on St. Laurence's Day, August 10, 1316. After enduring a whole day the terrible losses inflicted by the English archery and horse, the Irish were totally defeated, but the conquerors themselves acknowledged that never since the Conquest had a native army fought so long and so well. The young Felim, King of Connacht, and heir to the sovranty of Erin, "from whom the Gaels expected more than from any man of his time," was slain with his standard-bearer, O'Dobhailin, beneath the royal banner; Taig O'Kelly and fifty-six other chiefs also fell in the front of the battle; and the losses among the native ranks bore terrible witness to their stubborn courage.[1]

[1] The best Irish accounts of the battle are in *Loch Cé* and n *Ann. Clon.* Gilla-na-naev O Dovailin is called in *Loch Cé* "the bearer of the leopard standard" (*fear iomchar na h-onchon*); however, "*onchu*" was a heraldic beast of uncertain species and the O'Briens also had an "*onchu*." The best Anglo-Irish account is *Laud Annals*, p. 351, which says that "four Irish kings rose against the English," and that about eleven thousand of the Irish were slain (the figures seem too huge to be possible, but that they were very heavy the severe losses among the gentles would indicate).

The victors, it is said, walled Athenry out of the profits of the arms and armour taken from the bodies of the fallen enemy: evidently then the Irish were no longer the "naked men" of former battles.[1]

So was quenched the greatest hope for a century of restoring a Gaelic kingdom. The defeat and death of Felim at once restored the Burgo Lordship of Connacht, the Earl set up a tame O'Conor, Cathal, son of Donnell, and the O'Conor "Kingdom of Connacht" was henceforth but an empty name.

Carrickfergus finally fell in September 1316, and Robert Bruce now arrived to aid the new King of Ireland. In the beginning of 1317 the two brothers, with a huge army, which included the Ulster Irish, invaded the Midlands once more, marching to Slane and burning and devastating in the true way of mediaeval war, so that their ravages, combined with the poor harvests of those years, soon brought about a scarcity, and then a famine and pestilence, which disheartened even the allies of Bruce.

From Slane the two kings marched on Dublin (January 1317), and for a time English rule seemed lost. The royal government was paralysed, the Anglo-Irish leaders divided and apathetic, and De Burgo's inactivity looked as if he did not desire the defeat of the Scots.

But the citizens of Dublin by their unaided efforts saved the Anglo-Irish State. The Earl of Ulster, who had sought refuge in the city from the march of the Scots, was suspected of wishing to surrender the city. The Mayor, Robert Nottingham, therefore boldly arrested him in St. Mary's, and imprisoned him in the castle on February 21, 1317. Already the Scots were at Castleknock, four miles west of Dublin, and Edward Bruce, who had no artillery to reduce so strong a town and castle, halted in the hope that the Earl or other partisans would deliver the capital to him. But the citizens organised their own defence, burned Thomas

[1] *Laud. Annals sub* 1316 (p. 351).

Street, and throwing down St. Saviour's, used its stones to extend the city wall on the north. By accident the fire spread, and set St. John's Church and much of the suburbs on fire. The sight of the town ablaze impressed the Scots with the resolution of the townsmen, and when Edward knew how fortified was the city, and that the Red Earl was a captive, he turned west to Leixlip, and by a momentous decision abandoned the hope of taking the capital (February 24, 1317). Guided once more by the Lacys, and in a long march through Callan to Limerick and Castleconnell and back through Cashel to Kells in Ossory, Bruce terribly wasted the lands of Fitzgeralds and Butlers.

The Earl of Ulster was only released from the hands of the citizens by a royal order, and the intervention of the Peers, and after swearing to seek redress against them by legal channels only. Finally, on June 24, he was released in presence of the magnates, having first sworn to answer to the law and shun the enemies of the King, Scots and Irish. He was further relieved of the command of the royal forces, and retired, a deeply humiliated man, to his estates. It must always remain a matter of conjecture to what extent De Burgo favoured Edward, King of Ireland.

At last the English Government sent a man. Roger Mortimer was appointed to the supreme rank of Lord Lieutenant in November 1316, while Butler remained Justiciar. As a concession to the revolted Irish, Mortimer was charged to admit the native race to the full use of English laws. Twenty great ships were collected at Haverford to transport "the great multitude of soldiers, both horse and foot," who were to accompany him, and finally he arrived at Youghal on April 7, 1317.[1]

[1] *Cal. Pat. Rolls*, 1313-17: for Mortimer's instructions. Rymer's *Foedera*, 1307-27, p. 301, says he brought 15,000 men, an incredible number. On the question of the Irish and the English law, Betham (*Dignities*, I., p. 283) records a petition of the English of Ireland, to the King and Council of England, that "they had a law by which an Englishman found guilty of a capital offence (e.g., of theft above

The new viceroy hastened at once to join the great army which Thomas, the new Earl of Kildare, had gathered at Kilkenny, and before this array, Edward Bruce, for Robert had departed, fell back unmolested, and after spending Easter at Trim, retired to Ulster. Instead of following the retreating lion, Mortimer turned against his old foes, the Lacys, who had been proclaimed "*seductores et felones Domini Regis*" at Dublin, and expelled "their whole name and nation" from Meath. Flying before him, they sought refuge with Bruce in Ulster, but Walter's son, John was taken and starved to death in Trim Castle.

Meanwhile the native princes who had espoused the cause of Bruce made their case and their motives known to the world in the Remonstrance which they addressed to the Avignon Pope, John XXII. The latter, who had embraced Edward II.'s cause against the Bruces, had sent two Cardinal nuncios to England in the latter half of 1317 with a mandate to Bruce and his adherents to refrain from invading the King of England's lands in England, Wales, and Ireland, and it was probably then, and to these, that the Ulster Irish addressed this statement of their case.[1]

The Remonstrance is evidently the work of some

12d.) should suffer death, but if an Irishman was convicted of such, the judge had discretion to condemn him to execution or allow him to be ransomed. Now the justices have assumed power to permit Irishmen to ransom themselves for a trifle, e.g., for slaying an Englishman £100, for theft 20s., etc., and evildoers become bold and audacious." The King therefore issued a writ to the Justiciar directing a Parliament to be held once a year and no pardons to be issued for slaying an Englishman or for arson save by consent of the faithful lieges in Parliament and then £100 shall be paid to the King. The reference is clearly to Irishmen members of organised clans able to pay the eric for their crimes, not to the settled Irish who were becoming absorbed among the English.

[1] For the text (Latin) of the Remonstrance, see *Fordun*, ed. Hearne, III., pp. 908-26. It is translated in King's *History of the Catholic Church in Ireland*, p. 1136. The exact date of its composition is uncertain, but as the Remonstrance was finally despatched to Rome through the Nuncios, Cardinals Luke and Gaucelin, the date of transmission would seem to be after May 1317, for the commission of these Nuncios was made out at Avignon in that month, and they spent the latter half of the year in England and most of 1318 seeking in vain to bring Robert Bruce to terms with Edward II.

scholar accustomed to diplomatic forms, familiar with native tradition and actual conditions, and competent to frame a telling indictment. Possibly Bruce had also urged upon his Irish supporters the necessity of stating their wrongs and their case in a document which would reach not only the judgment seat of the Holy Father himself, but the Court of England, their enemy, and the chanceries of Europe, so making their cause an international one. There was the further especial significance, too, that the Pope was, by Henry II.'s agreement with Rome, the suzerain of Edward as Lord of Ireland.

The Remonstrance was addressed to the Pope "by his attached children, *Donaldus Oneyl, Rex Ultoniae,* true heir by hereditary right of all Ireland, as well as the kings (*reguli*), nobles, and Irish people in general of the same realm." Donal, speaking in the first person, proclaims the high antiquity of the Irish Monarchy, and the independence of the Irish realm down to Laeri (Legarius), supposed to be the first Christian Ard Rí, from whom "I, Donal, derive in direct line my origin." It then continues as follows:

"After Laeri native kings ruled Ireland till Pope Adrian, on false representations and blinded by English prejudices, handed the dominion of Ireland *de facto* over to Henry II. though he had no right *de jure* to do so. Through the oppressions of the English we have been driven to the woods and the rocks, and fifty thousand of both races have perished by the sword alone in virtue of Adrian's Bull. The English kings moreover have violated the very Bull and narrowed the bounds of the Church, yet our bishops are so slavishly timid that they never venture to appeal to your Holiness. The Irish have been depraved not improved by intercourse with the English who have deprived them of their ancient written laws and introduced other infamous ones such as that no Irishman may sue an Englishman: no man of this race is punished for the murder of an Irishman, even the most eminent: an Irishwoman no matter how noble who marries an Englishman is deprived at his death of her dowry; on the death of an Irishman the English seize his property, thus reducing to bondage the blood which flowed in freedom from of old. Many cases of such are given. Further an iniquitous statute has of late been passed at Kilkenny forbidding Irishmen to be received into monasteries in English land, and this

by council of certain bishops, the principal being the Archbishop of Armagh, a person of small discretion and no knowledge.[1]

" The English of Ireland ' the middle nation ' differ so widely in their principles of morality from those of England and all other nations that they may be called a nation of the most extreme degree of perfidy. Lay and cleric they assert that it is no more sin to kill an Irishman than it is to kill a dog.[2] All the land they occupy in Ireland, they occupy by usurpation. By their scheming they have alienated us from the King of England, hindering us from holding our lands as voluntary tenants under the Crown. Aliens from us in language, circumstance and actions, all hope of maintaining peace with them is out of the question. We have made long attempts to obtain legal equality, for example two years ago several of our nobles addressed the King through John de Hotham, now bishop of Ely, describing our wrongs and offering to hold our lands directly of the King—according to Adrian's Bull of which we send your Holiness a copy—or that he should, with consent of both parties, divide the land between us, but have got no answer from him or his Council. Therefore if we are driven to fight against both him and our enemies here, we cannot be accused of disloyalty or perjury, inasmuch as neither we nor our ancestors ever did homage or fealty to him and his ancestors. All this we verify by testimony of twelve bishops.[3]

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[1] The bitterness of the Irish chiefs is as pronounced against their own bishops as against the Anglo-Irish ones. Englishmen were then holding Dublin and Armagh, but Malachy MacAedha was Archbishop of Tuam, 1313-1348, and Maurice MacCarvell of Cashel till 1316. MacInerny, *Irish Dominicans*, pp. 563-6, shows that Walter Jorz (or Joyce), Archbishop of Armagh, did not deserve the above opprobrium, for he was a learned man and actually got the decree of Kilkenny of 1310 which is complained of rescinded.

[2] Four instances of treacherous murders are given. The murders of Brian Rua O'Brien and of the O'Conors of Offaly are referred to. A bitter comment is added that the King ignored an indictment preferred against Piers de Bermingham for the latter crime. Brother Simon of the Order of Friars Minor, brother of the Bishop of Coventry, is called " chief exponent (dogmatizor) of the above heresy, for he, in the year just past, in the court of Lord Edward de Bruce, Earl of Carrick, in the presence of the said Lord as witness relates . . . . exclaimed ' that it is not a sin to slay an Irishman, and if he himself committed such a deed, he would not on account of it refrain from celebrating Mass.' " (Hearne, III., pp. 919-20.)

[3] " . . . . *duodecim episcoporum adminus necnon & aliorum praelatorum testimonio* " (Hearne, III., p. 924), but their names are not given. John de Hotham, the King's clerk, was commissioned to go to Ireland at Lincoln on September 1, 1315, and stayed there till September 1316. (*Cal. Pat. Rolls*, 1313-17, pp. 347, 385)—hence the final appeal of the Irish chiefs to the King of England was probably made late in 1315, and the words " two years ago " would help to fix the date of the Remonstrance as 1317. The phrase " we have called in Edward Bruce " would thus seem a justification for a *fait accompli*.

"Finally despairing of justice, we have called in Edward Bruce, a descendant of some of the most noble of our ancestors, and by letters patent have granted to him our whole right, and, for the establishing of justice and equity in the land, which have failed hitherto for want of a proper supreme authority, have constituted him our lord and king by unanimous consent. May it please your Holiness, then, to sanction our proceedings, forbidding the King of England and our adversaries here from molesting us further, or at least enforce from him and them the due requirements of justice." [1]

The Irish appeal came a century too late. This was not the age of an Innocent or a Hildebrand, but that of a feebly-opportunist Avignon Papacy, which would no doubt have recognised the accomplished fact, had the Irish, like the Scots, first succeeded in dethroning Edward Plantagenet. The response was a tepid one, as might be expected. John, while excommunicating friars mendicant and others who had preached rebellion, and issuing a further Bull against the adherents of Edward Bruce in Ireland, informed the King of England of the complaint of the Irish and urged him to carry out the necessary reforms in accordance with Adrian' Bull.[2]

So far the Remonstrance seemed to have missed its mark. But it had a deep significance—even if Pope, King, and Anglo-Irish could not see it—as the first united utterance of the Gaelic population since the coming of the Normans, as an entire repudiation of the English claim as heretofore exercised, and a definite breach of sympathy and confidence between the Irish people and the English Lordship.

The retreat of Bruce had now left his southern

[1] I have paraphrased closely the main burden and chief points of the Remonstrance.

[2] *Reg. Papal Letters*, II., pp. 148, 422, 435, 440, and 3 Kal. Jun. [1318] : To the King : the Pope has received the letters addressed by the Irish magnates and people to Cardinals Gaucelin and Luke, papal nuncios, touching the Donation of Ireland made by Adrian to King Henry, complaining of their wrongs under that king and his successors. The Pope urges the King to consult with his Council touching correction of the said grievances, and sends him the letters of the Irish together with the case containing the said Donation. Cardinals Gaucelin and Luke are ordered to assist the King in carrying out the necessary reforms.

partisans to their own defence, and Mortimer was able to subdue the Wicklow clans. He then marched to the Shannon, and there Cathal O'Conor, *princeps Hibernicorum Connaciae*, who had succeeded Felim, submitted to the King's Lieutenant. As a result Mortimer signed a treaty by which the Government surrendered to O'Conor "the lands of Shilmorthy, and the King's lands of Fethys and Tirmany, saving the lands of Englishmen or those granted in burgage, all at the accustomed rent." This was in March 1318. The legalised acquisition of those King's Cantreds over which such bitter wars had been waged for a century was a triumph for the O'Conors, almost enough to reconcile them to the death-blow of Athenry.[1] For the moment, it was a triumph for the Anglo-Irish government also, for it completely detached the West from Edward Bruce, But it had nevertheless meant the abandonment of the Shannon frontier, a fatal policy which, followed by later withdrawals, finally abandoned most of Ireland to the native race.

The verdict of Athenry was now reversed in Thomond, where Bruce had also hoped for a diversion. There King Murchertach, son of Turloch O'Brien, had to maintain the old double fight against Clan Brian Rua and Richard de Clare. In August 1317 his young brother, Dermot, defeated and slew Donnchad, the chief of Clan Brian, at Corcomrua; Murchertach then unfurled the "onchu" banner of the Dál Cais against Richard De Clare, and was joined by MacCarthy and other chiefs of Desmond. De Clare himself marched

[1] *Rot. Canc. Hib. Cal.*, p. 23. "Shilmorthy" is of course *Síl Muiredaigh*, the demesne lands of the O'Conors, and the Fethys (*fedha*) a wooded district in Roscommon—practically all County Roscommon now went to O'Conor. Cathal was son of Donnell and descended from Brian of Luighni, brother of Rury, the last Ard-Rí—he was a pure interloper, for he was not a *rig-domna*, his great-grandfather not having held the kingship, but succeeded owing to the weakness of the O'Conors. Cathal ruled till 1325, when the young Turloch, brother of Felim of Athenry, slew him and reigned till 1345, when his son, Aedh, succeeded till 1356, then Felim's son, Aedh, till 1368.

with a large Anglo-Irish force from Limerick and met Murchertach and his brother at Disert O Dea.

The battle, fought on the 10th of May, 1318, went completely against the colonists. Their army was cut to pieces in close fight, De Clare fell, and was hacked to pieces for the hatred the Irish bore to him, and Murchertach, marching at once to Bunratty, stormed it, and expelled the Englishry at one blow from Thomond.

De Clare left a young son, Thomas, who died, still a boy, in 1321, and the Norman race which had striven for forty years to make Thomond an English palatinate disappeared.

The O'Briens had triumphed after a war of over forty years, and Thomond remained an Irish country till the time of Cromwell. Taken along with the failure to subject Tír Conaill in the former century, and with the voluntary abandonment of Roscommon to the O'Conors by Mortimer, more and more was the fact emphasised that the Norman Conquest was destined to be unfinished, and therefore a failure.

Mortimer was now recalled, May 1318, and in August Alexander Bikenor, Archbishop of Dublin, became Justiciar. The famine had now abated, the harvest was abundant and early, and suddenly and tragically the Bruce enterprise ended.

A colonial army, led by John de Bermingham, Lord of Tethmoy, whom the Irish Council had appointed commander, now marched north against Bruce, who was at Dundalk. The Irish force was mainly drawn from the gentry and militia of Meath, Drogheda, and the towns, who, unlike the magnates, dared to face the Scottish lion. Robert Bruce had promised to join his brother, and Edward might have avoided the battle for the time, but he was the knight-errant to the end, and with his three thousand Scots and Irish allies, encountered with a light heart the far greater colonial array. At the hill of Faughart, near Dundalk, on October 14, 1318, Edward Bruce was slain in the thick of the fight by John Maupas, a burgess of Drogheda,

whose dead body was found above that of the Bruce after the fight; Alan Steward was slain in single fight by John de Bermingham; two-thirds of the Scots fell; the Lacys escaped from the battle and got away to Scotland; and the head of the King of Ireland was sent to Edward of England.

There is nothing to show what Edward Bruce's designs for the ruling of Ireland were, save that he would have rewarded the Lacys and given Ireland a Scottish aristocracy instead of an English one. Had he been less of a soldier, and more of a statesman, had he mastered Ireland bit by bit, taken towns with artillery and spared Ireland those devastating and useless marches of his and accepted the sage counsel of his brother, he might from a secure base in Ulster and backed by the Irish race, have conquered all Ireland from the disunited magnates and the feeble English Government. But already before his death the fires of the Irish insurrection were burning low, famine and slaughter had exhausted the land, and the epitaphs of the native annalists indicate a disillusionment with Bruce which had probably set in before his death. Some of their flimsy comments indeed we may discount as being written after the event. But the Norman-French had been long enough in Ireland to make some of the Irish wonder whether it was worth while exchanging them for a new foreign landlordry, and this view is expressed in a very interesting contemporary Gaelic tract, written to prove that O'Madden had a superior claim to Hy Many against the O'Kellys. It praises De Burgo who had secured the O'Maddens in half of Hy Many, and blames the Connacht chiefs for wanting to call in "Scottish foreigners less noble than our own foreigners, in imitation of the Eoghanaigh (the O'Neills)." [1]

So ended the most decisive three years since Strongbow arrived. The Anglo-Irish lords and the King of England deserved on every count to lose

[1] *Tribes and Customs of Hy Many*, ed. O'Donovan.

Ireland. When a chance victory restored it to them, even then the opportunity was lost to issue a general Charter of Liberties based on the Remonstrance in favour of the whole aggrieved native race. And yet in the half-hearted and indirect way which the Anglo-Irish State had always pursued, the lesson was taken to heart. Mortimer had been charged in 1316 to admit the Irish to the law, and among the individual charters of English liberty which he issued, one, given at the instance of the Earl of Ulster, granted English law to Eoghan O'Madden of Hy Many, his brothers, and his heirs. The Earl also made a personal concordat with this chief, and divided Hy Many between him and O'Kelly. "One-third of the province (of Connacht) to be under O'Madadhain, no English steward to preside over his Gaels, and he and his free races to have equal nobility of blood with his lord (De Burgo) contray to the former decisions of these English lords that the Gael was bond (*daer*) while the Saxon was noble (*saer*)." [1]

In 1321 a fresh royal edict guaranteed to all Irishmen both within and without the Liberties who were already admitted, or should be admitted, to English law, the right to the English law of life and limb.[2]

[1] *Tribes and Customs of Hy Many, op. cit.*: the claim about one-third of the province is certainly an exaggeration—what the O'Maddens received was the South-East of Hy Many (Síl Anmchadha). *Rot. Canc. Hib. Cal.*, pp. 26-28, for charters of denization including O'Madden.

[2] *Cal. Pat. Rolls*, 1317-21, p. 563: January 20, 1321, from Westminster by the King and petition of Council: "Mandate for five years to the Justiciar that all Irishmen who have been or shall be admitted to English law shall use the said law of life and limb and shall be treated after the custom of the English *saving to the King and other lords their right to the goods and chattels of the 'natives' who are called 'betaghs' and who are admitted to the said law, and their issue.* Both in the time of the late King and of the present King many complaints were made that, *because Irishmen admitted to English law did not enjoy the said law of life and limb*, the King's peace in that land had often been broken—and in the Parliament at Westminster at Michaelmas last a remedy for this state was petitioned for." The words italicised show the difficulty of full emancipation in the way of denizened Irish and Irish villeins, and the opposition of the colonists. Yet the edict was of general scope, applying to both Liberty and shireland, and showed an honest intention to meet the bitter charge of the Remonstrance, that killing an Irishman was neither a sin nor a crime.

Similarly the Earl of Kildare on being made Deputy for Mortimer in 1320 was empowered to grant English law locally to the tenants of his vast estates. It was this Earl who began the earliest of those indentures, which the Geraldines continued to make for centuries, by which they recognised the heads of neighbouring or vassal clans as "*capitanei nationum suarum*," and received from them in return homage rent and service.[1]

The great Norman-Irish thus did locally what the Crown should have done as a whole, namely, to declare the greater chiefs hereditary and immediate tenants, as the Remonstrance had suggested. The Crown neglected this obvious policy, and left it to the Normans, who soon were as familiar with Irish speech and tradition as the Irish themselves, to draw near to the race which had so condemned the "middle nation."

The native coalition fell to pieces with the death of Bruce, and Donal O'Neill, expelled from Tír Eoghain by the vengeance of the Red Earl, died in obscurity in 1325. In arms the Irish had achieved some striking triumphs; O'Brien had recovered all Thomond, and O'Donnell had subjected Sligo. Even where there were no victories to chronicle, and where the power of the English was apparently restored, in fact the native resurgence was henceforth inevitable. The age of confiscation and land-exploitation was almost over; the Norman lords were at home with the native race, and preferred more and more to take Irish tenants and to come to terms with the unbroken clans. On the other hand they forced the English government to respect the land settlement as it now stood, and to leave Ireland to an Aristocracy which included the Gaels as well as themselves.

For the Crown it remained to reward and punish. Walter de Lacy died an exile in Scotland in 1324;

[1] *Rental of Earl of Kildare*, 1518, *Kilkenny Arch. Soc.*, 1859-65, and *Hist. MSS. Comm. Rep.*, XXXVII., p. 263: In 1318 Thomas, Earl of Kildare, grants Robertstown in County Kildare to Hugh Og O'Tothill, Hugh to be responsible for the misdeeds of his men, and the Earl to help him to punish them.

Hugh returned with a pardon in 1331, and after long legal protests against the verdict of treason pronounced against them by Mortimer, the family retained a portion of their land in Meath. The rebel Robert de Verdun had been slain in the course of the war, but some of his line continued to hold lands in Oriel, while Milo de Verdun, brother of the last Theobald, remained head of the family, and was ancestor of the Verduns of Clonmore, in Louth. The Irish Bysets retained lordship in the Glens. On the whole, Edward II. thought well not to inquire too far into a whole national movement, and numerous pardons were issued, as for example one to Dermot MacCarthy, "Prince of the Irish of Desmond." Great ruin had fallen upon the colony, but beyond compensating Dublin and Drogheda for their losses, Edward allowed Anglo-Ireland to right itself with time. Among the prominent Royalists, Sir John de Bermingham, victor of Faughart, was made Earl of Louth and got the usual grant of a Liberty. The Earl of Ulster had played a curious, and as some thought a treasonable, part, but he was allowed to retire to to his estates and devote himself to rebuilding his lordship in Ulster and Connacht.

An exhausted country demanded the best statesmanship, for the Irish question was unsettled, and showed itself in the Nationalist section of the Mendicants, but Mortimer, who held office again from March 1319 to July 1321, was not the calibre of a Wogan.[1] He held a Parliament in 1320 which forbade the great to quarter their men "on abbeys and honest folk," and where he proclaimed the royal concession that the army of Ireland might not be summoned by the Justiciar without consent of the magnates, thus pleasing both the Commons and the nobles. But the pacification of Ireland needed more force than the Government could command, and in fact the Anglo-Irish nobles were now the great barrier between the Crown and the common folk, English and Irish.

Every magnate aspired to have armies of his own

and by preference Irishmen, thus in 1314 "Edmund Butler (Lord of Carrick) gave coyne to the kerne of Dermot mac Turloch O'Brien on the English farmers (*gall-bhrughaibh*) of his country." [2] The English free tenants would not endure these quarterings, especially of soldiers of a hostile race, but Irish tenants would—hence the lords stocked their lands with Irish tenants, and thus decayed that English or French-speaking population which in the first flush of the Conquest seemed likely to make most of Ireland a second England. And yet Butler was a strong upholder of the "English interest."

The militarisation of Ireland was displayed on the Gaelic side too. The chiefs had their strong castles—thus Eoghan O'Madden, the Red Earl's protégé "built a strong castle of stone and timber at Magh-bhealaigh"—they quartered regular light troops (*buannachda*) on their people, and hired those *gallóglaigh* through whom they were able to face the English with honour. The Anglo-Irish also competed for the only professional soldiery in Ireland, and fought out their feuds with them. Thus did the peaceful or military penetration of Ireland become more and more difficult for the forces of the Anglo-Irish State.

Still it was given another fifty years yet to show how incapable it was for its great task, and for the moment the prospects of English rule and of Anglo-French civilisation in Ireland were still fair. An attempt had already been made to give the colony a culture-centre. In 1310 Clement V., at the request of John de Leche, Archbishop of Dublin, who had represented that "in Dublin there are some doctors and bachelors of Theology who give lectures, but there is no *studium generale*," ordained, if the suffragans of Dublin should consent, that there should be in the

[1] Clyn, 1325. Fuit discordia ut communiter inter religiosos pauperes Hiberniae quasi omnes quidam eorum *nacionis sue et sanguinis et linguae* partem tenentes foventes et promoventes, alii prelacionis et superioritatis officia ambientes.

[2] *Ann. Innisfallen MS., T. C. D.*

city an "*universitas*" with power to give doctors' degrees. Three years later the new Archbishop, De Bikenor, issued an "ordinance for the University of Dublin," and reserved to himself the right to appoint secular or regular readers in Theology. In 1320 four masters were made, of whom William Rodiard, Dean of St. Patrick's, was appointed first Chancellor of the University. Bikenor afterwards fell into disgrace as a partisan of Queen Isabella, and the infant University languished, but at any time under Edward III. it might well have come into full flower as a centre of culture and civilisation among the colonists, as a means for the diffusing of European thought, and as the most effective agent for anglicising the native race itself, so conservative but yet devoted to learning.[1]

In the field of letters John Clyn, a Franciscan friar of Kilkenny, whom James, Earl of Ormond, made Warden of his Franciscan foundation at Carrick in 1336, wrote in latin the *Annals of Ireland*, which are of first-hand value, from 1315 to 1349, when he died, probably of the pestilence which he describes in a vivid passage. Clyn alone of the latin annalists of Anglo-Ireland deserves the name of historian, but the Annals which are attributed to St. Mary's Abbey, Dublin, and which begin in 1162, are full and first-hand records of the period from 1300 to their close in 1370.[2]

In politics no great change was possible while England was torn with civil dissensions and Ireland with feuds. The English parties thought only of Ireland as a pawn in the game, hence when Sir John D'Arcy came over as Justiciar from early in 1324 till the beginning of 1327, and announced certain concessions, such as that Ireland should enjoy free trade with England and Wales, the object was to win the Anglo-Irish for the Crown against Isabella and Mortimer.

[1] See Grace's *Annals*, 1320, and notes, also Mason, *History of St. Patrick's*, App. VII., and Harris' edition of Ware's *Antiquities*, p. 243.

[2] *Clyn* ed. Butler, *Irish Arch. Soc*, 1894, and *Laud MS. Annals*, Chart. St. Mary's, II.

The greatest figure among the Anglo-Irish disappeared in 1326 when Richard de Burgo, the Red Earl, gave a great feast to peers and people at the Parliament of Kilkenny, and with this last gesture retired to die at the end of July in his own abbey of Athassel, leaving as heir his grandson, William Donn, "the Brown," a boy of fourteen. Edmund Butler, Earl of Carrick, had died in 1321, leaving a young son, James, later Earl of Ormond.

At the end of 1326 Edward II. had to fly before his enemies. In January 1327 he was deposed, and the Earl of Kildare, who was for the Mortimer-Isabella faction, was appointed Justiciar in February 1327, and proclaimed the young Edward III. Lord of Ireland.

CHAPTER X

THE REBELLION OF THE ANGLO-IRISH, 1327-1360

THE long reign of Edward III. again offered a prospect of a revived monarchy in Ireland. But Edward was as yet a boy of fifteen, and for three years the Queen Mother and her favourite, Roger Mortimer, ruled England.

The great nobles were left to govern Ireland. James Butler had supported the Mortimer faction, and at the Parliament of Shrewsbury in Michaelmas 1328, where Mortimer was made Earl of March, was rewarded with the earldom of Ormond. As he had married Eleanor de Bohun, a grand-daughter of Edward I., his heirs were regarded as "cousins" of the Crown, and henceforth took up that leadership of the English interest in Ireland which became the tradition of their race.[1] In August 1329 Maurice, head of the Munster Geraldines, was created Earl of Desmond. William Donn de Burgo, the new Earl of Ulster, was now but a boy of fifteen. Thomas, second Earl of Kildare, died in 1328; his son, Richard, succeeded, but died in 1331, when his second son, Maurice, became fourth Earl, and lived till 1390.

The fortunes of the First Families were built on the ruins of the absentee lordships. In 1307 the Bigod family, Lords of Carlow, were extinct; Gilbert de Clare, Earl of Gloucester and Lord of Kilkenny, died in 1324, and his three sisters divided his Irish

[1] In granting the Earldom of Ormond, the Crown reserved the four pleas of rape, arson, forestalling, and treasure-trove. The palatine Liberty of Tipperary was conferred on the Earl in 1347. A further reason for the Ormond loyalty was, of course, the huge interest they had in England as a result of this marriage, for the new Earl, James, had at his death manors in ten English counties (*Cal. Inquis.*, VII., p. 117: 12 Ed. III.). Kerry was now (1329) made a Palatine county for the Earl of Desmond.

lands; Aymer de Valence, Earl of Pembroke and Lord of Wexford, died in 1324, and his sister conveyed his rights to her husband, John de Hastings. When their descendant, John Hastings, died without heirs in 1391, the Greys of Ruthin took the title Lord of Wexford. These English claimants drew rents from Ireland, but otherwise might as well not have existed, and Butlers, Geraldines, and MacMurchadas took their empty places. In Munster an even earlier disappearance of original grantees took place; the Desmond Fitz-Geralds held the extinct De Valognes' "country of Connello," and in Ormond the Butlers took over the vanished lordships of De Worcester and other early feoffees.

The Irish lords grumbled over those absentees, "Englishmen by birth," who drew money out of the country and never came near it, so letting the Irish enemy in, while secretly they hated the idea of their return, built their vast lordships from the ruins, and invited the Gaelic chiefs to resume part of their old territories. The lesser Englishry in Parliament sincerely wished the return of the Absentees as a fresh buttressing of the threatened Anglo-French civilisation and State of Ireland, and urged the Crown at least to turn the dead Liberties into Common-law land. But a strong baronial interest both in Ireland and England opposed all Resumption; the King was in the hands of his nobles; and actually the growth of feudal lordship and immunity was from the beginning of Edward III. to the end of the War of the Roses to be the leading feature of society in both countries.[1]

In Ireland the Crown was weaker than in England, and the land-feuds of the magnates filled all the first years of the reign. Arnold le Poer, lord of Donohill,

[1] In 1348 the English Commons petitioned the King: "Whereas Liberties have been so lavishly granted by our Lord the King that the whole of this realm almost has been enfranchised, to the great oppression of the people and hindrance of the Common Law, may it please our Lord the King to refrain from such concessions in the future" (quoted in Pollard's *History of Parliament*, p. 10).

in County Waterford, was at strife with the Earl of Desmond, the feud was embittered by Arnold's calling FitzMaurice an Irish "rhymer" at a public assembly, and while the De Burgos backed Le Poer, Butlers and Berminghams aided Desmond.[1]

Peace was restored at a Parliament in 1329, but another Anglo-Irish feud in the North had fatal results for the colony. The Englishry of Oriel, Verduns, Gernons, Clintons, Cusacks, and others, resented having John de Bermingham, the new Earl of Louth, imposed upon them; they chafed under his strong hand, and there were more intimate grievances, for the Earl had taken a girl of the Verduns against her father's will, and would not let an illegitimate daughter of his marry another Verdun "who loved her as his life." Finally the Louth colonists took arms, declaring "*nolumus hunc regnare super nos*," and in a battle at Balibragan, in County Louth, on June 10, 1329, the Earl was slain with eight other Berminghams and two hundred soldiers of the Pale.[2]

"This slaughter," says the *Book of Howth*, "was a great hindrance to the North of Ireland, for this was the only key and wall thereof, for if the Earl had continued in prosperity, Ulster had been civiller than Leinster."

The Irish themselves had repulsed many attempts at conquest: it was something new and momentous when English rebels extinguished an Irish earldom and left the Ulster frontier open to the revival of O'Neills and MacMahons.

Already the Gaelic influence was stamped on the colonists of Ireland. Clyn speaks of the "*naciones et cognomina*" of "Geraldini," "Poerini," "Rupenses"; thus was the traditional Irish kindred system re-

[1] *Laud MS. Ann.*, 1327. *Propter enormia verba quae Dominus Arnaldus dixerat vocando eum "Rymoure."* We have no remains, however, of Irish verse by the Earl.

[2] John left only daughters and the Earldom of Louth lapsed with him, but he had a brother William, Lord of Tethmoy, hanged by D'Arcy's orders in 1332, who left a son, Walter, Justiciar in 1346-7.

asserting itself, along with the natural attraction of Irish culture, for the Earl of Louth had with him in the battle his bard, who perished alongside of his master, and earns a striking epitaph from Friar Clyn.[1]

The Englishman, John D'Arcy, son of the former Viceroy of that name, held office as Justiciar from May 1329 to March 1331. The armed force of the Anglo-Irish State was now so lacking that Desmond was allowed to raise an army by quartering Irish *buanachda*, or mercenary troops, upon his tenantry. All along the borders, in East and West Wicklow, in the Dublin marches, in Ormond, and in the midlands, the Irish war blazed, now high, now low. In 1325 John de Bermingham and Thomas le Botiller led an army against O'Carroll of Eli, "who in this year scarcely left a house, castle, or town in Ely O'Carroll among the English and lovers of peace (*inter anglicos et pacis amatores*) which he did not destroy by fire." The "English and lovers of peace" had to be distinguished from the feudal half-Irishized English of Ely, who, says Clyn, aided Brian O'Brien when in the same year he ravaged Ossory "and slew the faithful Englishry in the defence of their property."

In 1327 "the Irish of Leinster assembled and made them a king, Donal, son of Art MacMurgh." This was the first inauguration after Brehon fashion of a King of Leinster since Dermot, and a significant event in the Irish revival. But Donal, who "wished to flaunt his banner within two miles of Dublin and then to traverse all Ireland," immediately after fell into English hands and was imprisoned in Dublin Castle.[2]

Edward III. now began his real reign. In October 1330 Mortimer was seized at Nottingham and executed; and in May 1331 Sir Anthony Lucy landed as

[1] "Cam [*recte* Maelruanaidh *Caech*, "the half-blind"] O'Carwyll . . . a famous tympanist and harper . . . in his art a phoenix . . . who, if he was not the first inventor of the art of string music, was of all who preceded him and all his contemporaries teacher master, and director (*corrector doctor et director*)."

[2] *Laud Annals*, 1327, Clyn, 1325, *Grace*, 1331.

Justiciar, abringing with him a programme of reforms lately enacted at the Parliament of Westminster in March that year.

Certain advisers—D'Arcy was probably one of them —had evidently advised the young King and his Council to take the whole Lordship of Ireland into review ere it be lost altogether, to bring the Irish under the law either by peaceful concessions or armed force, to strike a blow at those First Families who dominated Anglo-Ireland, to strengthen the royal administration, and by compelling the absentees to return, to save the fading English colonies from extinction. On the point of revenue alone it could be shown that the larger part of the colony yielded nothing. These weighty considerations were placed before the English Parliament, and it adopted the King's proposals for emancipating the Irish, compelling the absentees to return, resuming the Liberties granted by Mortimer, and forbidding the keeping of Irish soldiery save in the Marches. To crown all, the English Estates begged the King to visit Ireland in person.[1]

Of D'Arcy's ordinances three were of capital importance. The first of them brought the Irish and the English under the same law excepting the 'servitude of the betaghs," who were to remain subject to their lords in the same way as the villeins were in England.

We cannot find that this royal fiat took general effect; certainly it was not ratified by the Anglo-Irish Parliament. Yet it was pleaded in the courts of the colony, and in a specific case a little later English law and liberty was granted to two great chiefs and their "*iraght*," or chief vassals, namely, Donal Carbrech MacCarthy and Dermot O'Dwyer.[2]

[1] *Foedera*, II., p. 812, and *Lib. Mun.*, I., Pt. IV., p. 11.

[2] *Exch. Mem.*, Vol. 18, p. 603 (7 Ed. III.): the petition of MacCarthy for English law is in French—both take an oath of fealty and will be answerable to the King's Court and his officers. In a lawsuit of 4 Ed. III. where a colonist had robbed an Irishman and

The second edict was a declaration of war upon the Irish magnates.

On the plea that everything done under Mortimer was an usurpation the King proclaimed an Act of Resumption, revoking all grants made in Ireland during his minority. Under the Absentee Act, the Earl of Norfolk and twenty-three other titular Irish landlords were ordered either to dwell or at least to put garrisons in their Irish lands. Lastly, "according to the request of the people of Ireland and by advice of Parliament," the King himself announced his intention of coming over, and troops and transports were ordered to be ready.[1]

All this programme for the re-anglicising and de-feudalising of Ireland was at once opposed by that Norman-Irish baronage whose power it proposed to break. An Anglo-Irish "Patriot Party" formed itself, and we hear the first utterance of the spirit that was behind Swift and Grattan. The Patriots of the fourteenth century, like those of the eighteenth, resented English domination from oversea, were bent on keeping the government and power of Ireland in their own hands, and while averse to a general enfranchisement of the Gaelic population, which might lead to a reversal of the Conquest on which their land-titles rested, were ready to make their own terms as overlords with the Irish and admit them to a guarded equality. Ready to obey the King should he come, or any Prince of the Blood, they hated those officials, "English by birth," against whom they proudly styled themselves "English by blood," and especially resented the authority of English Justiciars, who stayed so short a time, oppressed the land with exactions, and did so

pleaded that he need not answer to an *hibernicus* the Irishman replies *quod dominus Rex statuit in parliamento suo quid omnes hibernici ad pacem domini Regis existentes ad communem legem,"* etc., and wins his case. Betham, *Dignities*, I., p. 292.

[1] *Foedera*, II., p. 285: the Earl of Norfolk was now Thomas of Brotherton, Edward II.'s half-brother, for whom the Bigod Earldom and Lordship of Carlow had been revived, with the office of Marshal of England.

little with the subsidies which the Irish Parliament voted for the pressing needs of the State. Their political ideal was a Colonial independence, and theirs was a half-nationality, "Irish to the English and English to the Irish."

It was the question of the Absentees which touched their self-interest in its tenderest spot. The absence of titular lords had certainly let the Irish in to the colonial belts, but the FitzGeralds and others had greatly profited, and had no real wish for the claimants to return, especially as these would form a New English interest hateful to the First Families, who had never been English in the racial sense, and now were becoming Irish. The Crown threatened the new Earldoms of Ormond and Desmond, and who would now be safe?

From the Crown's point of view the Lordship of Ireland must now be won or lost. To win it, the native race must be brought into a common law and loyalty with the settlers, the Liberties must be diminished and the shire land increased, the Government must be made as efficient as that of England if Ireland were to be the second jewel in the Crown. The State's income was steadily falling, only the Leinster counties could be relied on to provide revenue, and whereas early in Edward I.'s reign Anglo-Ireland easily yielded £6,000 from all sources, in 1335 less than half of this was raised. The magnates evaded payment of their feudal dues, the towns of their firms—all alike took the line that the Crown had thrown upon them the defence of Ireland and of themselves and nothing more could be asked.[1] All accused the Justiciars and their officers of appropriating and misspending the revenues, and neglecting those remoter areas of the colony which it was vital to maintain.

The winning of Ireland meant a royal army, and, save for the garrisons of the King's castles, there was

[1] In 1334-5 the ordinary revenue yielded £2,766 (*Exch. Mem.*, 18, p. 2).

none. Owing to the grants of huge fiefs for an almost nominal return, the total array which the Justiciar could call forth by royal knight service was far from imposing. When the Justiciar unfurled the royal standard only some four hundred military tenants were bound to attend him or pay the scutage commutation.[1] Certainly if the magnates were agreeable they could bring to his banner thousands of armed tenants, both Irish and English, but it was these very lords with their armies whom the Crown must break if it meant to have a real Monarchy.

Never was the territorial power of the magnates so pronounced as now or their ranks so unbreakable. For example, the Geraldine dominion in Munster covered all Connello in West Limerick; contained numerous manors in East Limerick; had Kerry as a palatine county; and from East Cork had extended over Decies and Dungarvan, so that, save for the Poers, they were supreme in County Waterford. The grant of the Earldom gave FitzMaurice such an eminence in the four counties as none could approach or challenge. The honourable methods of marriage and purchase were henceforth supplemented by the forceful ones of conquest and imposed vassalage to fortify the Geraldine principality and to extend it over the old English and the surviving Gaelic chiefs.

The towns of Dingle and Tralee on the West and of Dungarvan and Youghal on the East gave the Geraldines open ports towards Spain and France. Their junior branches, the FitzGeralds of Kerry, of Glin, and of Decies, and the FitzGibbons of Kilmallock, whose names became established in this time, were a second line of defence.

Backed by the secondary Poers, Barrys, Purcells, and such, the Norman Earls of Ireland were a rampart no English King could break down, though many a

[1] See Bateson, *E. H. R.*, 1903, p. 497, *Irish Exchequer Memoranda* (MS. Corpus Christi College): The total knight service of the colony in 1284 is given as 427 and a fraction.

royal Deputy was to attempt it. By a general understanding with the native race they became all the more unbreakable. The hatred of the Irish for the "middle nation" was a passion ill-concealed—it showed itself in Art Mór O'Melachlin, chief of the old royal race of Meath, who reigned *circa* 1330, and was the son of an Englishwoman, Slany Nugent, yet his bard could address him thus:

"O Son of the Foreign woman, be it thine to expel the Foreigners from Uisneach,
A wedge of itself, thou of the soft fair skin, it is which splits the elm."

But the struggle became less and less one of race. The great Anglo-Irish had harpers of their own and loved native music and poetry. The Irish chiefs with their *gallóglaigh* and *buannachts*, their castles and armour, were now a foe to be respected, and the difference of speech and custom became merely those between men whose first speech was Gaelic, and those who knew it along with French and English. Since the Crown had failed to meet the Irish demand in the Remonstrance for an equal division of land between Normans and Gaels, it was left for the former to throw open their vast lordships to the Irish and by treaties of vassalage to recognise Gaelic chieftains as heads of territories and of the populations which obeyed them. Such bargains cover the pages of the Kildare Rentals, and were common, we cannot doubt, in many which have perished.[1]

Already the Norman magnates had shielded the Irish from the armies of the Justiciar, and their opposition and neutrality were to make a fresh conquest and plantation impossible. Yet they were more Irish in upbringing than in politics; still a half-nation, they

[1] See O'Grady's *Catalogue of Irish MSS. in British Museum*, pp. 338, 362, for O'Melachlin. In addition to the *Rentals of the Earl of Kildare* (*Hist. MSS. Comm.*) and the *Red Book of Ormond* (described in *Nat. Facs.*, III., Plate VI.), we have in Trinity College Library the MS. tract, "*Historia et Genealogia Familiae de Burgo*" in Irish and latin, which illustrates the process of vassalage after 1333.

did not repudiate the nominal supremacy of the English Crown or their status as tenants under that Crown. For the present they were willing to perform the duties of that status, and though kings after Gaelic fashion to their Irish tenants, they were still Earls and Barons to their English ones. It is clear that the actual heads of the First Families were far more English than the younger, more resident members—thus William the Brown Earl of Ulster had an English mother, Elizabeth of Gloucester, and was wedded to Matilda of Lancaster, the King's cousin, but he had cousins who had never seen England and were all but Irish.

The new viceroy had a dangerous task to perform. But his first step was pacific: he summoned the magnates to reconcile their feuds, and "on St. Benedict's Day (March 21, 1331) the Earl of Desmond and Sir William de Bermingham made peace with the Justiciar, and swore fealty and peace with the King and the people for ever." Now William, who was Lord of Carbery and Tethmoy in Offaly, and brother of the dead Earl of Louth, had been Desmond's chief supporter in the feuds of 1328-9, and was regarded as one of the worst of the feudal law-breakers. Lucy then summoned Parliament to Dublin for July 1, but Desmond and his supporters refused to attend; later, however, when it was summoned to Kilkenny, they came and were pardoned in the King's name. Lucy, however, meant to strike down these mighty subjects; and his officers arrested Desmond at Limerick, and Sir William de Bermingham and his son, Walter, with many others. Desmond was sent to England and Sir William de Bermingham, brother of the hero of Faughart, was hanged in Dublin in the next year, in spite of the charter of peace granted him, an event which shocked the whole colony. "He was a noble knight, the noblest and best of thousands of knights in the art of war. Alas and alas, who can refrain from tears in speaking of his death?" is the epitaph of the

Anglo-Irish annals, which henceforth are for the English lords of Ireland against the English Justiciars and "the English by birth."

The English Government dare not proceed further. Edward recalled Lucy in November 1332, sent over D'Arcy with a general pardon, and Desmond was released, though the Crown did not finally pardon him till 1355.

Meanwhile disastrous events in the West and North were shaping the fate of the colony. William, the young Earl of Ulster, had to fight at once the native O'Conors, his refractory English tenants, and his Irish cousins. Walter, son of that William Liath de Burgo who fought at Athenry and his Irish wife, Finola O'Brien, having defeated Turloch O'Conor in 1330, and aspiring to become King of Connacht himself, the Earl interfered and thrust Walter into Northburgh Castle, where he was done to death in 1333. Now, Walter had a sister, Gyle, wife of Sir Richard Mandeville, one of the Earl's greatest tenants in Ulster, and by her instigation, Robert, son of Richard Mandeville, and others of the colonists of Down murdered the young Earl, then only twenty-one years of age, at the Ford of Carrickfergus, June 6, 1333.

The Justiciar, D'Arcy, sailed for the North, and a dire vengeance was wrought on the murderers, but the irreparable evil was done. Maud of Lancaster at once took ship for England with the Earl's infant child, Elizabeth, through whose marriage with Lionel of Clarence the Earldom of Ulster and the vast lordship of the De Burgos passed by English law to a royal Absentee.

No such blow had yet befallen the Anglo-Irish colony. The whole De Burgo lordship which had been the shield and rampart of the English interest in the North and the West fell at one stroke. Released from a yoke which they alone could never have broken, the O'Neills and O'Donnells were able to subject eastern and southern Ulster on the one hand, and De Burgo's

lordship of Sligo on the other. Within fifty years practically the whole province went back to the Irish order.[1]

The maritime power of the earls had circled the north coast; now save for Coleraine, to which the English clung desperately for another fifty years, the sea was thrown open, and the Northern chiefs could draw from the Scottish Isles unlimited *gallóglaigh*, and knit together again the old Gaelic world of Erin and Alba, severed for a time by the Anglo-French wedge driven in it by the *conquistadors*.

In Connacht, however, the triumph was rather of the Norman-Irish. The dead Earl's kinsmen, in the true spirit of the Anglo-Irish, were resolved that no absentee should succeed, by marriage and by English law, to the noble heritage of their race. William Liath, cousin of the Red Earl, had left two sons, William, or in Irish, Ulick, and Edmund. The latter was still in Scotland, whither he had accompanied his father when William Liath was taken captive by Bruce at Connor, and hence was called "Albanach" by the Irish. Returning to Ireland in 1335 to share in the Burgo partitionment, Edmund showed how little the Irishized Normans cared for feudal baronies compared with building up a Gaelic kingship on the hearts of the native race. "Twenty years did Edmund remain in Scotland," says the Gaelic history of the later Burkes, "when, by the death of the Brown Earl, the son of the English countess, tribe-extinction came upon the Burkes, and Edmund returned and landed in Umhall

[1] The De Burgo possessions are detailed in *Cal. Inquis.*, VII., 7 Ed. III.: see for the Connacht portions Knox, and for the Ulster and Meath portion Orpen, in *R. S. A. I.*, 1902-3, 1913-15, and 1921. The Earl ruled Connacht from his Great Court at Lochrea: it is especially interesting to find the the cantred of Síl Anmchadha is under "O'Madan, the Irish king of that country by the Earl's grant"; see formerly, Chap. IX. In Ulster the entry "services of the sergeantries of the Irish" show eleven Irish chiefs holding of the Earl by military service, viz., Henry and Odo O'Neill, Rory Maguire, two MacMahons, O'Hanlon, MacCartan, O'Cahan, O'Floinn, and two MacGilmores. The total service imposed as a condition of tenure on these is 345 foot-men or "satellites," or else commutation at £1 per man.

O'Máille (the Owles of Mayo), and his chief poet and ambassador to the Connachtmen was Donn O'Breslin, and Edmund took to wife Sadhbh, daughter of O'Máille."

Thus strangely had the aspect of the Norman conquerors of Connacht changed, and Edmund, half-Irish by his mother, with an Irish wife, an Irish brehon and Scottish galloglass in his train, would hardly have been recognised by the William de Burgo of 1200. Yet these were the appeals which won the Irish heart, and before his death in 1375 Edmund was master of Mayo, and founded there the race of MacWilliam "Iochtar," or the Lower Burkes.

His elder brother, William, seized upon the De Burgo lordship in the broad plains of Galway; from him came MacWilliam "Uachtar," or the Upper MacWilliam, and the Earls of Clanrickard. In Munster Edmund "*na féasóige*," "the bearded," a son of the Red Earl, was already in possession of the Burgo lands in mid Tipperary and north-east Limerick, a country later called Clanwilliam, and from him came the Burkes of Castleconnell.[1]

The three Burkes had thus defied the feudal law of inheritance. The English Crown, guardian of the heiress's right, would give the established Burkes no legal sanction for their lands, and when the descendants of Lionel and Elizabeth became Kings of England, the MacWilliams of Connacht were regarded as pure usurpers. Hence it was that of all the Norman *conquistadors* the De Burgos became the earliest case of "*Hibernis ipsis hiberniores*."[2]

[1] We have for these events and later Burke history the evidence of the Gaelic and latin historical tract called *Historia et Genealogia Familiae de Burgo* (T. C. D., F.4.13), not yet published.

[2] I find no evidence for Richey's picturesque legend (*Lectures in Irish History*, p. 177) that Sir William and Sir "Edward" de Burgo on the banks of the Shannon and in view of the royal garrison of Athlone doffed their Norman dress, donned the saffron of Irish chieftains, and renounced their English allegiance. Lodge's *Peerage*, ed. Archdall, III., p. 41, shows Sir Thomas fitzEdmund Burke acting as King's Justice and other evidence shows other members of the family acting as sheriffs, etc. The Galway MacWilliam also remained lord of the rich city of Galway.

Thus did the western province lose even the thin Anglo-French veneer it had. An Irish revival followed the feudal one. While Edmund Albanach fought with Edmund *na féasóige*, who claimed the Burke chieftainry, till in 1338 he took him and had him drowned in Loch Mask, Turloch O'Conor assumed the sway of Connacht again and "Leyny and Corran of Sligo were wrested from the English and the hereditary native chiefs resumed their captainships." These two baronies had been FitzGerald, then De Burgo lands, and now that Donal O'Conor held Cairbre and Sligo town, the whole Lordship of Sligo became Irish again. As overlord in the North-West, O'Donnell took the place of De Burgo, and Aedh O'Donnell, who died in 1333, after a reign of fifty years, in his castle of Assaroe, which was the centre of his lordship, is called "Lord of Tyrconnell, Cenel Moen, Inishowen, Fermanagh, and Brefni."

Such an Irish or Norman-Irish revival seemed a remote thing to the colonists of Leinster and Meath, but this "land of peace" itself was the scene of a widespread race revival. The MacMurchadas and their vassals reconquered the inland parts of Leinster. Uniting in a general Leinster confederacy under MacMurchada, the O'Mores and O'Conors of Leix and Offaly threatened the towns of Athy, Leighlin, and Carlow, and the line of the Barrow. In the heart of Ireland, shielded by great woods and moorlands, the O'Melachlins, O'Molloys, Macgeoghegans, and others, formed a Midland confederacy to destroy the Westmeath settlements. Longford, a large part of Westmeath, all Leix and Offaly, and the Northern parts of Tipperary and Kilkenny, were thus lost. Not only had the plan of a thorough Conquest of all Ireland, urged by such men as Maurice FitzGerald a century before, failed, but the planted belts were growing smaller, and more isolated, and the whole Anglo-Irish State was being battered to pieces.

Two striking instances of the Irish revival are given by Clyn. Laoiseach or Lysagh O'More, who died in

1342, made himself lord of Leix, where the Mortimers were titular possessors. "He stirred up to war all the Irish of Munster and Leinster by persuasion, promises, and gifts, and expelled nearly all the English from their lands by force, for in one evening he burned eight castles of the Englishry, and destroyed the noble castle of Dunamase belonging to Roger Mortimer, and usurped to himself the lordship of the country. From a slave he became a lord, from a subject a prince." [1]

The similar triumph of O'Conor Faly in Offaly interposed two modern counties between English Kildare and the lower Shannon.

The land about Slieve Bloom in North Tipperary went back to the princes of Eili. In 1346 fell in battle Taig O'Carroll, "who slew or expelled from Ely the nations of the Brets, Milbornes, and other English, and occupied their lands and castles." An Inquisition held in 1337 on the death of the first Earl of Ormond shows strikingly how the English line was recoiling in that North Ormond which had been so widely enfeoffed early in the Conquest.[2] The Earl had seven vast manors in Tipperary, viz., Thurles, Ardemaill, Brittas and Karkeul, Moyalwy, Carrick-macgriffin, Clonleynan and Nenagh. There are burgesses at Thurles, Balyhaghil, Moyalwy, and other places. At Nenagh there is a castle with five towers, and the manor contains seven and a half "theods" and ninety carucates (these latter alone make up ten thousand acres or more) in demesne, free tenancies, and lands let to farmers. But the Irish had thrown off the yoke of the Butlers in the northern portions, and the petty towns were decaying, for example, "the burgesses at Balyhaghil used to render eight marks, but now only twenty shillings in time of peace, and nothing in time of war because of the Irish." "The heirs of John and Donohyr O'Kenedy and Conol O'Kenedy used to hold ten carucates at rent and royal service, now they pay nothing, for they are at war: so with the heirs of

[1] Clyn, 1336, 1342, 1346.
[2] *Cal. Inquis.*, VII., p. 117.

O'Mathy, O'Hogan, and Macgyltin." Ten and a half carucates held by farmers are also described as in decay, so are the lands of the free tenants.

Henceforth Thurles remained the northern limit of the English line in Tipperary; Nenagh, the original seat of the Butlers, had to be abandoned; the line of the Shannon about Killaloe disappeared, and the O'Kennedys became "Kings of Ormond" again.

As for the key-fortresses, Sligo was now the seat of an O'Conor; Roscommon fell to Turloch O'Conor; Ballymote, the Red Earl's great stronghold, was given by O'Conor to his vassal, MacDonagh; and save for Athlone, which was never altogether lost, the whole Shannon frontier was gone. In the South, De Clare's castle at Bunratty was taken by Murchertach O'Brien in 1332, and in the extreme north, the De Burgo fortress of Northburgh in Inishowen fell to O'Docherty, who was now the lord of Inishowen, under disputed vassalage to O'Neill and O'Donnell.

Thus in thirty years from Bruce's death two-thirds of the Western and Northern coast and half the interior became Irish or Norman-Irish, and, in both cases, was lost to the English law and speech.

By 1333 the young Edward III. abandoned the thought of coming to Ireland in person and turned his lance first against the Scots and next against the French. It was a fatal decision for the English interest in Ireland. The colony was at the crisis of its fate, but it was still possible for a royal army to complete the conquest of the land.

Instead the Anglo-Irish at the King's request sent an army under Desmond and Ormond over in 1335 to help in imposing Edward Balliol upon the Scots, and voted a generous subsidy of two shillings per carucate from "all the land of peace," a tithe from the clergy, and an aid according to their means from the towns, all of which, however, was a love grant "not to be drawn into a precedent or custom." [1]

[1] Clyn, 1335, and *Lib. Mun.*, I., Pt. IV., p. 12: 170 leading Anglo-Irish were summoned and 14 Irish chiefs.

In spite, however, of Anglo-Irish help against Scotland, the firm policy of Lucy and D'Arcy was continued, and in May 1338 Thomas de Cherleton, the *Custos* of Ireland, was commissioned to dismiss incompetent officials; put into effect an ordinance of the King and Council in England that none but Englishmen born were to hold high legal offices; and further to make strict enquiry into all grants of lands and liberties made by the King or his father.

Finally the long-smouldering resentment of the Anglo-Irish burst into flame, when the Justiciar, Sir John D'Arcy, who had been given a free hand in Ireland, appointed as Deputy in March 1341 Sir John Morice, a plain English knight, on whose advice King Edward had relied for this whole Irish policy. The culminating edict, which Morice was charged with enforcing, ordered that all officers within the land of Ireland, having estates or being married in the country, were to be replaced by Englishmen whose estates were altogether in England, "by whom we think to be better served than by Irishmen or Englishmen married and with property in Ireland." It was assumed that these would be welcomed as being more honest and impartial, more efficient and less easily intimidated, but England, then as often afterwards, was to find itself baffled between the apparent loyalty, and the secret disloyalty, of her own colonists. In face of a complete proscription of "the English by blood" the Patriot party formed itself again under Desmond, and so great was the general indignation that the Anglo-Irish annals, which henceforth are all for the Patriot side, say of this year 1341—"the Land of Ireland at this moment stood at the point of breaking for ever from the hands of the King of England."

When Morice, after making a clean sweep of the old officialdom, summoned Parliament to Dublin for October 1341, Desmond and Kildare, scornful of the mere knight who came in the place of a King, appealed to the whole colony, and summoned a rival

Parliament to Kilkenny in November, where nobles, clerics, and burgesses united as one. "Never," say the Laudian annals, "was there so notable a division between the English by birth and the English by blood." Desmond's parliament resolved to appeal to the King in person, and sent to him by two envoys a long and searching indictment in French of the Irish Government past and present.[1] They could not endure, they said, that the realm of Ireland should be ruled by the King's ministers as it had wont to be. One third of Ireland was now lost to the Irish, and of late the castles of Athlone, Rinndúin, Roscommon, and Bunratty had fallen. The cause lay in the neglect and corruption of the King's ministers, as did the decay of the revenue. These officials continually override the rights and laws of Irish subjects. Cases are frequently cited to English courts which could be settled in Ireland. Lands are ruined by neglect of the absentees, who never come to defend them, but draw all the rents they can out of them. Scots, Gascons, Welsh, have often levied war against the Crown, but your loyal English of Ireland have ever been loyal, and, please God, will always be so. Yet in return, needy men have been sent from England to govern without knowledge of Ireland, and having little or nothing of their own, they practise extortion to the great destruction of your people. The Act of Resumption was an injustice, for according to Magna Charta no man can be deprived of his freehold without due process of law. How is it, they conclude, a realm of war can be governed by one unskilful in war, how is it that an officer under the Crown that entered Ireland poor can in one year grow to greater wealth than men of great patrimony can in many years, how does it come about that, seeing they are all called lords of their own, the Lord of them all is not one penny the richer of them?

[1] For legal enactments of this period see *Foedera* II., *passim*; and Berry's *Statutes*, I., pp. 333-63, for the petition of Desmond's Parliament.

The first Remonstrance of Anglo-Ireland against domination from England struck a note that was often to be heard in later centuries. The Patriots of the fourteenth, like those of the eighteenth century, were loyal to the Crown, but hostile to English Ministries, they were strong in protest but feeble in suggestion, they were pre-occupied with their class interest, that of an Ascendancy bent on the domination of Ireland, and they said nothing bout the native race whose emancipation they alone could achieve.

For the moment the protest was successful and the King, involved in a war with France for which he needed Irish aid, forbade Morice to proceed further, and in a reply to the petitions, sent on April 14, 1343, repealed the offending statute excluding the Irish-born from office.

But after an interval Sir Ralf D'Ufford, a pure Englishman, was sent over to attempt the reformation of Ireland, and landed at Dublin on July 13, 1344, accompanied by his wife, Maud of Lancaster, widow of the late Earl of Ulster, whose lands he was pledged to recover, and an army of knights and archers. He proclaimed a general pardon for the Anglo-Irish, and turned his arms against the Ulster Irish, expelling MacCartan of Kinelarty, and deposing Henry O'Neill of Tír Eoghain, setting up in his place Aedh, son of Donal O'Neill.

D'Ufford was commissioned to enquire into lands given to various lords in Ireland, and in addition he was high-handed and severe to the "middle nation," which his wife detested as the murderers of her first husband. "This justiciar was an invader of the rights of the clerics and the lay rich and poor, a robber of goods under the colour of good, the defrauder of many, never observing the law of the Church nor that of the State, inflicting many evils on the native born, the poor only excepted, in which things he was led by the council of his wife," say the Laudian annals, reflecting the Anglo-Irish sentiment which has so often

thwarted English viceroys when grimly bent on crushing the great, whether Irish or Old English.

When, therefore, D'Ufford summoned Parliament to Dublin on June 7, 1345, Desmond again refused, and called his supporters to Callan, to which he marched with thousands of men; but when the viceroy prohibited this Irish Parliament, Desmond's supporters wavered, for loyalty was still a tradition, and the magnates were not yet ready to defy the English Crown. The act of Desmond in summoning a Parliament, the King's prerogative, could not be forgotten; he was outlawed and his earldom was declared forfeit. Kildare was arrested in Dublin, and D'Ufford, with forces raised by commissions of array and the royal banner unfurled, marched at the end of June into Munster against the Earl, though the Peers refused their assent. No Earl or confederacy of Anglo-Irish could yet match the forces of the Crown in leadership or artillery; Desmond's castle of Askeaton fell; and in November Castleisland in Kerry, where the Earl's captains made their last rally, was taken, and D'Ufford had the defenders, John Coterel, the Earl's Seneschal, Eustace le Poer, and William le Grant, hanged, drawn, and quartered. The first was accused of "exercising, maintaining and inventing many foreign, oppressive and intolerable laws," which apparently were those Irish feudal practices of coyne and livery which were so odious to the lesser English, the Irish Parliament, and the Dublin Government.[1]

D'Ufford now returned to Dublin, where a prolonged Assize dealt severely with the adherents of the Anglo-Irish rebellion, but the viceroy himself died on Palm Sunday, April 9, the next year, 1346, to the general joy of the Anglo-Irish, who were now placated by the appointment as Justiciar of Sir Walter de Bermingham, Lord of Tethmoy, son of the William who had been executed in 1332. The Crown had too much on hand

[1] Clyn, but the extant records for these events are lamentably scanty.

in France, and the aristocratic Home Rulers had a viceroy of their own from May 1346 to the middle of 1349. A general pardon was proclaimed in May 1346, and though Desmond was exempted from it, he was allowed to lay his case before the King, and along with Kildare was taken into favour and served with the King at the siege of Calais.

It is no mere coincidence that the Anglo-Irish annals fill the years of the Anglo-Irish rebellion with details of a far-spread Irish resurgence, in which in a single week of Easter 1346, "O'More, O'Conor, and O'Demsy took three castles, Ley, Kilmehyde, and Balylethan," and "all the Irish of Leinster as one man set themselves to war against the English and the lovers of peace." At Christmas 1347 Donal O'Kennedy, a nominal vassal of the Ormond earl, uniting a confederacy of the Irish of Connacht, Meath, and Leinster, burned the town of Nenagh and destroyed all Butler's country and castles of Ormond. The Poers, the Tobins (*aliqui de cognomine Sancti Albani*) and other "*naciones et cognomina*" of the Old English did no less damage than the Irish; and the champions of the loyal English, such as the Wogans, Wellesleys, and De Valles, officers and seneschals for the Crown and Lordships, spent their days in petty but fierce battles against Irish and Norman-Irish.[1]

It was a time of gloom for the colony which

[1] For example, Fulco de la Frene is especially praised by Clyn. In 1333 there was war between the famous Leysagh O'More and Fulco, "who maintained the cause of the Englishry of Ossory, for the same O'More united all the Irish of Munster and Leinster for war—and only Scanlan Macgilpatricke and Henry O'Ryan took the side of the English and of peace." In 1347 this gallant knight, Fulco, went with Maurice, Earl of Kildare, by the King's summons to France, and served at the siege of Calais. In 1348 Fulco returning and "having the care and custody of the lands of the Earl of Ormond, then in England, put a strong guard into Nenagh, and restored to their homes and lands the banished lieges and forced the Irish to rebuild the walls they had destroyed and, by great payments of cows and hostages, to buy themselves back into their former obedience." The great raid of Murchad "*na Raithnighe*" O'Brien in 1376-7, referred to later, however destroyed the Butler lordship in this area of North Ormond.

England had signally failed to recruit with fresh blood, and which was now further reduced by the Black Death, which, according to Clyn, slew 14,000 people in Dublin alone from the beginning of August to Christmas 1348—true or false the figures express a terrible mortality—and finally took off Clyn himself.

Nevertheless the Government made great efforts to hold the English land, and from 1330 to 1375 small but efficient armies of light horse (hoblers), men-at-arms and archers followed the Justiciar against the "Irish enemy," and in the year 1344-5 D'Ufford spent some £3,576 on a paid colonial army.[1]

The recovery of Connacht and Ulster was the immediate charge of the Justiciars. Elizabeth, heiress of the Brown Earl, was betrothed in 1341 to King Edward's third son, Lionel, and in 1347 this young prince was created Earl of Ulster. But Burkes, O'Conors, and O'Neills stood in the way. In Ulster one after another Lacys, FitzAlans, and De Burgos had gone and the O'Neills remained. The royal race of Tyrone had now divided into two branches, of which the senior, under Aedh Mór, son of Donal of the Remonstrance, King of Tír Eoghain from 1344 to 1364, generally bore among the English the title of "O'Neill the Great." The second branch, which took its rise from Aedh Buidhe, "the Yellow," who ruled Tír Eoghain from 1260 to 1283, being expelled by the other O'Neills, sought their fortunes after the Earldom fell vacant beyond the Bann and Loch Neagh, where in the next fifty years they founded Clannaboy (Clann Aedha buidhe), with its capital seat at Castlereagh, a land which by 1550 extended from Belfast to Loch Neagh, north to the Antrim Glens, and south to Strangford Loch. A few families of the Englishry

[1] *Exch. Mem.*, vols. 23, p. 420, 24, p. 185, and 26, pp. 132-52. Incidentally the arrays of the Crown accustomed the native chiefs to the weapons and tactics of European war, which henceforth they used against the English themselves. Thus O'More of Leix was paid £66 as commander of 6 men-at-arms, 178 horse-archers, and 100 foot-archers in D'Ufford's army of 1345.

survived, such as Byset or MacEoin of the Glens, the Whites of Dufferin, the Savages and Russells whom De Courcy planted in Down; and these families, though partly Irish in speech and habit, clung to their feudal titles and English tenures.

After Bermingham, a vigorous English viceroy was found in Sir Thomas Rokeby, who arrived in December 1349 and ruled till August 1355.[1] A large part of the Justiciar's duty was now to war on the insurgent Irish with troops paid by subsidies from the colony, and Rokeby fought a vigorous campaign against Dermot O'Brien, brother of Murchertach, who became King of Thomond in 1341, and MacConmara, O'Brien's marshal, which ended in the submission of these chiefs.

But peaceful attempts were also made to bring the chiefs to honourable submission. Already in 1333 English law had been confirmed to MacCarthy and O'Dwyer with their "iraghts." Later in 1346 D'Ufford enfranchised Maurice, son of Maccon MacConmara, O'Brien's chief man. Finding it could no longer combat that clan organisation which the outlying English themselves were generally adopting, the Dublin Government decided to work through this system, and by recognising the Irish or Norman chief as "head of his nation" (*capitaneus nationis suae*) to make him a stable agent and guarantee for order and peace, while the chief himself would welcome an external sanction for his office from that Lord of Ireland, whose light yoke the Gaelic lords were willing to bear.

This was especially necessary on the borders of the Pale, and in 1350 three border chiefs came to terms with the Justiciar. John O'Byrne, "captain elect of his clan," took oath in presence of the Justiciar to

[1] Lord Walter Bermingham died in 1350 without sons (*Laudian Annals*). His patrimony went to sisters, one of whom married a Lancashire knight, Sir Robert Preston, founder of the Gormanston family. She brought to him *inter alia* the barony of Carbery in Kildare, but junior Berminghams resisted this feudal claim, and during the process turned Irish and became enemies of the State. Other Berminghams continued to be Lords of Athenry.

observe the King's peace well and faithfully and if any of his progeny or following (*parentela*) should commit felony or robbery on the King's faithful people he should hold them to justice till called upon to surrender them to justice. Similar terms were made with two English or Ostman families, the Harolds and Archbolds of South County Dublin, and the Government confirmed the title of "*capitaneus*" to Walter Harold and Matthew Archbold, who had been chosen chiefs by the leading men of their name. The recognition of clan chieftainries henceforth was a common practice, adopted by Henry VIII. with great success as a way of bringing the greatest of the Irish, O'Neill, O'Brien, and others, to admit themselves subjects and peers under the English Crown.[1] But with the Tudor King it was a prelude to a greater Conquest. The government of Edward III. had no force behind it, and Rokeby in effect legalised the triumph of Brehon custom and the Gaelic revival and allowed Irish and English captains to stand between the common subject and the Anglo-Irish State.

In July 1355 Rokeby retired from office and died the next year in Kilkea Castle earning the epitaph of a plain and honest minister of the Anglo-Irish commons; who "chastised the Irish well and paid honestly for all the victuals he took" and who said "I prefer to eat and drink out of wooden vessels and to pay gold and silver for my food and clothing and soldiery."[2]

After following Rokeby as Justiciar for a few months, the Earl of Desmond died in Dublin on January 25 1356 and was interred at Tralee.

The career of the first Desmond Earl is most memorable for that Anglo-Irish movement which he formed and led not against the English Crown but against the domination of English-born officials and the

[1] *Exch. Mem.*, vol. xvii., p. 603. Harris, *Collect.*, II., p. 203 and my article in *E. H. R.*, January 1910, "*The Clan System among English Settlers in Ireland.*"

[2] Grace.

ruling of Ireland from Westminster. He is the first of the Patriot peers of Anglo-Ireland. The ill-governance of Ireland certainly justified a Bruce and a War of Independence but Desmond and his followers could not shake off the spirit of the "middle nation" which though Irish to the English was English to the Irish. Like later Geraldines the Earl might dream of a Crown but he could only defy a Crown and lacked the iron resolution which alone would have put a native lord on the Throne of Ireland. His sympathies were with native culture but not with native independence—thus in 1339 he suppressed a native rising in Kerry and as his own kinsman, Maurice FitzNicholas, Lord of Kerry, had aided the Irish, he took him and had him starved to death in prison.[1] Hence the Anglo-Irish annals praise him as "a just man in his office, for he would hang his own kinsmen for their evil deeds as well as strangers, and well chastised the Irish." Among the Irish, who thought it natural for a king to be a stern man of war, the Earl was regarded as the greatest of those "princely English lords who gave up their foreignness for a pure mind and their harshness for good manners, their stubbornness for sweet mildness and their perverseness for hospitality," and to whom all was forgiven for their love of Irish speech, letters, bards, and chroniclers.[2] Thus did the Geraldines, who never were English in England, after a short period turn Irish in Ireland, and prove by their very versatility their legendary mixture of Florentine Cambrian and Gaelic blood.

The Anglo-Irish party had for the time succeeded. From 1356 to 1361 the Government was mainly in their hands, and Maurice, Earl of Kildare, and James, Earl of Ormond, ruled most of the time, either as Justiciars or Deputies. A whole body of edicts summed up in an *Ordinatio facta pro Statu Terrae Hiberniae*, passed

[1] *Laud MS. Annals*, 1339.
[2] *Laud MS. Annals*, 1355. *Tribes and Customs of Hy Many*, ed. O'Donovan.

by the King and Council of England, was sent over in 1357 with the object of reforming administrative abuses, placating the wounded feelings of "the English by blood," and recognising Irish legal and legislative autonomy.[1]

To remedy the general lack of governance, officials were to make yearly account and be supervised by commissions of the Justiciar and other high officials and magnates of the locality concerned. The evils of Purveyance were to be mitigated. "The affairs of our Land of Ireland shall be referred to our Council, but shall be determined in our Parliament there (i.e., in Ireland)." Thus was the internal legislative supremacy of the Irish Estates recognised. "All English men born in Ireland as well as those born in England shall be taken to be true Englishmen bound by the same laws, rights, and customs"—these rights were, however, to be *secundum legem et consuetudinem Terrae Hiberniae*, a recognition of the legal autonomy of the Anglo-Irish, as the former clause was of their legislative.

More efficiency and force was needed to impose these edicts than the State possessed, but they had the effect of assuring the loyal English of the nearer counties that a government after their own heart ruled in Dublin. An edict of 1361 still further pleased this Anglo-Saxon element by excluding the independent Irish from holding office in the Church, the towns, or the State among the Englishry. "No pure-blooded Irishman of Irish nation (*nullus mere hibernicus de natione hibernicana*) shall be made mayor, bailiff, or other official in any place subject to the King, or hold canonries or livings among the English." "Yet at the request of Irish clerks living among the English we have ordered that Irishmen of this sort, of whose loyalty our judges are assured, shall not in any way be molested." A clear distinction was made by the Crown, if not intended by the colonists, between the outer Irish living by Brehon law and the Irish who

[1] Berry, *Statutes*, I., pp. 408-419.

dwelt peaceably in what was called by the English "the land of peace."[1]

The bitterness of the colonists towards the "*meri Hibernici*" was natural. Everywhere the colony shrank. In 1355 it was reported that "Odo O'Neill" was at the gates of Dundalk with a great army, and the Archbishop of Armagh was commissioned to treat with him. In South Munster Dermot MacCarthy, called MacDermot by the English, was an especial terror to the colonists. Son of Honora FitzMaurice of Kerry and married to a daughter of David Roche, Dermot aspired to be an Anglo-Irish lord also, and though the royal service was proclaimed against him, before his death in 1368 he won the Lordship of Muskerry by the strong hand. The Justiciar might unfurl the royal banner and call out the service of all Ireland against such native heroes, but little came of their expeditions in a country full of woods, defiles, and hills, where, when the Irish turned to fight, they proved to be as well-armed as their foes.[2]

One element at least the Government could trust. The towns were the true strongholds of the English Interest, and charters of self-government, fresh liberties, and murage grants enabled the burghers to wall their towns and entrench themselves like petty republics.[3]

There were still the materials for an anglicised Ireland, though the greatest of all, an University, was lacking. In 1358 the Irish Council forwarded to the King a petition from the clerics and scholars of Ireland, who pointed out the lack of facilities for learning in the country, and the perils of crossing the sea, and

[1] *Statutes*, I., pp. 420-1. This phrase "*merus hibernicus*" which has been translated "mere" in the contemptuous sense, had not any other sense than "pure" up to the seventeenth century. *De natione hibernicana* would imply "a member of an Irish clan."

[2] For O'Neill see *Rot. Canc. Hib.*, p. 62. For MacDermot see Butler, *Pedigree and Succession of MacCarthy Mór*, *R. S. A. I.*, June 1921, pp. 32-48. He was brother of King Donal Óg (d. 1391), and founded a Muskerry branch of the MacCarthys.

[3] *Rot. Canc. Hib.*, p. 65. In 1356 the right to levy tolls for murage is given for twenty years to Dungarvan, Tullow, Carrick-magriffin and Thurles.

desired to study in Dublin the civil and Canon laws, with other sacred sciences. The King in reply took under his special protection "all scholars, masters and clerics coming to the said city from all parts whatsoever." But this wide invitation needed the backing of generous donors, and found them not. There was some small endowment, and a few students continued to frequent the scanty "*domus scholarum*," but that was the end of all projects for a Mediaeval University of Dublin.[1]

[1] Harris, *Collect.*, III., p. 27.

CHAPTER XI

THE LAST EFFORTS OF THE ENGLISH LORDSHIP, 1361-99

LIONEL OF CLARENCE, the second son of Edward III., was in 1361 in his twenty-third year, and a most princely youth, tall, strong and beautiful. In right of his wife Elizabeth de Burgo he was Earl of Ulster and Lord of Connacht, once a splendid lordship, but now fallen for the most part into the hands of O'Neills, O'Conors and Irish Burkes.

In March, 1361, the King announced that his son was about to proceed to Ireland and sixty-four Absentees were summoned to Westminster for Easter, to give counsel, to provide troops, and to come in person or proxy to Ireland. The preamble, as addressed to Humfrey, Earl of Northampton, Constable of England, ran thus :

" Because our land of Ireland—by the attacks of Irish enemies and through the impotence of our lieges there, and because the magnates of our land of England, having lands there, take the profits thereof but do not defend them—is now subjected to such devastation and destruction that, unless God avert and succour the same, it will be plunged soon into total ruin, we have therefore, for the salvation of the said land, ordained that Lionel, our very dear son, shall proceed thither with all despatch and with a great army."

Among the absentees named were Ralf, Earl of Stafford, and Edward le Despenser, heirs of the Liberty of Kilkenny ; Lord Manny and his wife the Countess of Norfolk, heirs of Carlow ; the Countess of March, mother of Edmund Mortimer, Lord of Leix ; and Agnes de Valence wife of John Hastings, Lady of Wexford. If the

Re-conquest were achieved, four Lordships of Leinster would be recovered.[1]

Lionel was appointed King's Lieutenant on July 11, 1361, and proclamation was made that all Crown lands occupied by the Irish, and all domains of non-residents were to be granted to English subjects who would dwell upon them. Finally Prince Lionel sailed from Liverpool and landed in Dublin on the 15th of September. He had with him 1,500 men—knights, esquires, hoblers, and archers, under command of the Earl of Stafford.

The policy of the Prince revived at once the fears of the Anglo-Irish nobility. It was obvious that what was chiefly intended was the Recovery of Leinster where not only had the Irish reconquered the Crown lands of Wicklow and occupied North Wexford, but the resident Butlers, Geraldines and others had appropriated most of the vacant Lordships of Kilkenny and Carlow.

Lionel had come, like D'Arcy and D'Ufford, to break the wings of the Anglo-Irish ; hence, when he moved out on his first campaign against the O'Byrnes, he forbade any of Irish birth to approach his pure English camp, and the result was that a hundred of his men were cut off, either by treachery or through neglect of advice from the Anglo-Irish who were better versed in the tactics necessary to Ireland. " Seeing this," say the Laudian annals, " he collected all the people, both of England and Ireland, in one, and prospered well, and made many wars everywhere with the Irish."

Lionel remained here for five years, save for eight months' absence in England in 1364. We know little of his campaigns save that he led armies into Desmond and against the Leinster clans. Froissart tells us how MacMurchada dared to face the King's son in open field : " One of their kings, Arthur Maquemaire, King of Leinster, fought with Duke Lionel near the city of Leinster ; in the battle many were slain and taken on both sides, but the King of Leinster escaped." The Four Masters record that in 1362 " Art MacMurchadha, King of Lein-

[1] *Foedera* III. Pt. II., p. 609 *seq.*

ster, and his son Domnall Riabhach, were made prisoner treacherously by the son of the King of England and died in prison."

Having cleared the line of the Barrow, Lionel spent £500 in walling Carlow, and re-fortified the castles of Dublin, Trim and Athlone. In Ulster he had a Seneschal, and a Constable at Greencastle. Beyond Carrickfergus most of the Earldom was practically lost, but Aedh O'Neill and his son Niall Mór, it appears, did homage and swore fealty.

Connacht was even more lost, but Lionel deprived William, son of Raymond de Burgo, of the custody of his wife's lands there, and appointed a Treasurer of his own, one Sir William de Karleil, an Englishman, who probably had little success in enforcing rents and services.[1]

Lionel's success was indeed but partial; his troops were few and absentees reluctant to return; and in February 1362 the King had to order those who lingered " to proceed with troops to Ireland where my dear son and his companions stand in imminent peril."

It is significant of the decay of the colony that the parliamentary subsidy had to be reduced, a royal proclamation forgave the earls, prelates, barons, magnates and commons of Ireland, both lay and cleric, all their debts and accounts, reliefs, escheats, firms, fines, etc., even to October, 1362. The state to which the revenue had fallen is shown in 1360 when the gross receipts for the year came only to some £2,140, and the expenses were £1,945 odd.[2]

In 1362 Lionel's wife Elizabeth died, leaving an only child, Philippa, who later married Edmund Mortimer, Earl of March. In memory of his wife, Lionel made certain endowments to St. Patrick's Cathedral to have

[1] For Froissart see later. What the " city of Leinster " was we cannot guess. Niall O'Neill, in his submission to Richard II. in 1395, declared that his father and he had submitted to Lionel at this time. For Lionel's officers in Connacht and Ulster see *Cal. Reg. Archbishop Sweteman* ed. Lawlor *P.R.I.A.* (1911) pp. 259, 283: the later mentions an indenture of peace made between the Duke and O'Neill.

[2] *Exch. Mem.* 28, pp. 62, 77, and 29, p. 6.

daily Mass said, and endowed a lectureship in Theology there, so keeping the feeble lamp of Anglo-Irish learning alight.[1]

At the Parliament of England in November 1362, he was created Duke of Clarence.

The royal viceroy was already wearying of his unattractive office, and in particular of the dissensions between the new-come, and the native-born, English of Ireland, which made it necessary in June 1364 by royal writ to order " that none of the English, born in England or Ireland, shall make any dissension, reproach or debate among themselves on pain of fine and punishment."

Anglo-Ireland was already divided into the two clear elements of " the march lords " or " degenerate English " and the still loyal people of the towns and the nearer shires. It was on these latter that Lionel had learned and it was their spirit, anti-Gaelic and anti-feudal, which triumphed in the Parliament of Kilkenny which Lionel summoned to meet him on the 18th of February, 1366.[2]

Though many magnates were present, the shire and town deputies formed a majority ; the Council would reinforce them, and it is to these elements that we must attribute the Anglican spirit of the enactments. The preamble of the thirty-five enactments was as follows : " Whereas at the Conquest of the land of Ireland and for a long time afterwards, the English of the said land used the English language, mode of riding (monture), and apparel, and were governed, both they and their subjects called betaghs, according to the English law . . . . now many English of the said land, forsaking the English

[1] *Alan's Reg.* 36 d : Licence by Ed. III. to Lionel to grant 10 acres at Stackallan and advowson of the Church there to the Dean and Chapter of St. Patrick's to perform daily service for the King and Queen Philippa and for the soul of Elizabeth, wife of the King's son . . . and to find a friar of the Order of Hermits of St. Augustine of Dublin *who shall have attained a degree in theology in the house of the Schools of the Dean and Chapter* to read there for ever, with an annual allowance for both duties of 10 marks for ever. (July, 1364).

[2] The original roll of this parliament is lost, but a transcript exists in Lambeth Library which was published and edited by Hardiman in *Tracts rel. to Ireland* (*Irish Archaeological Soc.*).

language, manners, mode of riding, laws and usages, live and govern themselves according to the manners, fashion, and language of the Irish enemies, and also have made divers marriages and alliances between themselves and the Irish enemies, whereby the said land and the liege people thereof, the English language, the allegiance due to our Lord the King, and the English laws are put into subjection and decayed, and the Irish enemies exalted and raised up contrary to reason."

To prevent which, and to recall the English to obedience and the law, certain enactments were passed. The English are forbidden to make alliances by marriage, gossipred, and fostering with the Irish, or in their law-suits to use "March law," or "Brehon law" (*lei de Marche ni de Breon*) "which rightly ought not to be called law, being bad custom." They may not entertain or make gifts to Irish minstrels, rimers or story-tellers. All Englishmen, and Irish dwelling among them, must use English surnames, speak English and follow English customs. If any Englishman or Irishman dwelling among the English, use Irish speech, he shall be attainted and his lands go to his lord till he undertake to adopt and use English. Irishmen are excluded from cathedrals, benefices, and religious houses. In order to make joint resistance to the Irish, parleys and treaties with them must be in common by legal permission. The English must not break peace legally made between English and Irish. In every county four of the most substantial men are to be made wardens of the peace, with power to assess the inhabitants, to provide horsemen, hoblers and foot, and review them from month to month. Kerns and hired soldiers may only be maintained on the marches. Every chieftain of English lineage (*chieftayne de linadge Engleis*) shall arrest and detain malefactors of his own lineage, adherence or retinue, till delivered by the law. The colonists are to forsake hurleys and quoits and learn the use of the bow. There is to be but one peace and one war throughout the whole of the King's land of Ireland.

The "English" or "obedient" land was reckoned

as the Counties and Liberties of Louth, Meath, Trim, Dublin, Kildare, Carlow, Kilkenny, Wexford, Waterford and Tipperary.

The evident purpose of the Kilkenny statutes was not to declare war upon the Irish race as such, but, at the cost of abandoning a large part of the "English land" to the Irish and the "chieftains of English lineage," to preserve the remainder for the English speech, race and law. Inside this "land of peace" all Irish inhabitants were to be forced into English speech and custom, so that they should not impair that purity of English tradition which the Statutes aimed at securing for ever. Such Irishmen could without difficulty secure or buy "English liberty." The Irish living outside the chosen land were not entirely rejected as we see by later Kings and Viceroys taking their homage, and granting them charters of denization, but the Statutes were so interpreted that even the Five Bloods lost after 1366 that unwritten privilege of English liberty which up to then in theory they had enjoyed.[1]

No general edict of admittance to English liberty was included among the Statutes of Kilkenny, and the reasons are clear. By this time the Irish themselves had ceased to make the general demands on that point which they had made several times between 1270 and 1320. Betaghry was dying out in the English land, and the former betagh population slipped into common freedom. Great numbers of the Irish living "*inter anglicos*" had been emancipated by individual charters of freedom for which there was a fixed charge and formula. The outer Irish who had preserved the old order in the West, or on the borders of the Englishry, had by now either won complete independence, or the earls and great lords,

[1] We find the Justiciar in 1375 making a grant of English law to Molrony O'Griffa "capitaneous nationis suae," Molrony his son and Nell and Dermitius his brothers—*qui fideles ligei Domini Regis devenerunt et ad fidem et pacem Regis se ac homines et servientes suos bene et fideliter confirmarunt*—at Clonmel, by request of the Earl of Desmond. Harris, *Collect.*, II., p. 203, and *Excheq. Mem.* 18, p. 603. Yet Art MacMurchada later was not admitted to the barony of Norragh, inherited by his English wife.

incapable of subjecting so large a population of Irish, made indentures and treaties with them by which the chief, in return for certain services, ruled his own people undisturbed. Abandoning all thought of a revived Ard Rí and a general expulsion of the Saxon, the Gaelic chiefs were content to share with these Normans who had become so Celtic the lordship and spoils of Ireland.

That the Statutes of Kilkenny were essential to their peace and freedom became the *idée fixe* of the common Englishry of Ireland; like Magna Charta, they were confirmed again and again, and the last time was at Poyning's Parliament in 1494, but then was it shown how futile they had been, for the clauses against the use of the Irish language by the Englishry had to be repealed, since they could no longer be enforced among the bilingual people of the "obedient shires."[1] The acts against fosterage and alliances were soon set at nought by collusion of the Anglo-Irish and the Crown itself. The very successor of Lionel in the vice-royalty, Gerald Earl of Desmond, in 1388 got the royal licence to have his son James fostered with Conor O'Brien. The English had failed to plant their own culture and it was inevitable that they should yield to the flowing tide of Irish speech, music, and minstrelsy. Ten years after the statutes of Kilkenny the Irish Parliament itself got permission to enact "that Donal O'Moghane, Irish minstrel, may dwell among the English and be in their houses."[2]

Prince Lionel's task was now finished, and he left Ireland for good on November 7, 1366. Of his further career little need be said. A splendid marriage was arranged for this handsome young widower, with Violante, niece of Bernabo Visconti, lord of Milan. The marriage was celebrated with great pomp at Milan, 27 May, 1368, and

[1] *Statutes of Irish Parliament* (1786): Chap. VIII. of Poynings' Parliament, 1495, re-confirms Statutes of Kilkenny—"*those that will that every subject shall ride in a saddle and those that speaketh of the language of the Irish, alone excepted.*"

[2] Harris' *Collect*: III. p. 220 and *Pat. Rolls* 49 Ed. III. For licence to Desmond see *Rot*: *Canc. Hib.* p. 139. The foster-father was Conor, brother of Brian King of Thomond 1369-99.

Petrarch recited the bridal ode. But after five months of feasting and extravagance, Lionel was taken ill, and died October 7 in that year, leaving no child by his Italian bride. Thus the hope of re-anglicising the colony faded, and the titular Lords of Kilkenny, Carlow and Wexford left their Irish lands to the practical possessors.[1] Gerald, third Earl of Desmond, who succeeded to a short-lived brother Maurice in 1359, ruled as Justiciar from 1367 to 1369; he was the natural head of the Patriot party, and, known to the Irish as "Gerald the Poet" because he composed in Irish verse, he became in later days the hero of both races.[2]

In several fields was it now shown how formidable the native chiefs had become. Brian O'Brien, the new King of Thomond, overthrew the Earl of Desmond "with all the English of Munster" in battle at Monas teraneany near Croom, and took the Earl prisoner, while "his army was cut off with incredible slaughter" on July 10, 1370.[3] Brian then pushed on and captured the mainland part of the city of Limerick; the citizens capitulated; and O'Brien set Sída Óg MacNamara as Warden over them. But MacNamara was slain in an immediate rally of the burghers, and O'Brien retired with the spoils of the fifth richest city in Ireland.

It was ever the wish of the Council and loyal English to have an English viceroy, and in June 1369 Sir William de Windsor, one of Lionel's Knights, arrived with the high title of King's Lieutenant, with a salary of a thousand marks yearly. De Windsor had to cope with the Irish

[1] The Irish Parliament did again in 1368 petition for the return of the absentees, and a statute was enacted at Guilford that absentees should return before Easter 1369 with their families and with armed forces, or forfeit their Irish lands. By Act of 3 R. 2 two-thirds of the estates of persistent absentees should revert to the Crown. There is no evidence of any considerable return however, and estates were often subsequently seized. Seneschals however continued to be appointed for absentee Lords of Liberties. Gilbert's *Viceroys* p. 230 and Berry *Statutes* I. p. 470.

[2] *F.M.* 1398: Gerald "excelled all the English and many of the Irish in knowledge of the Irish language, poetry and history."

[3] *Laud Annals*, 1370, but *Loch Ce* and *F. M* make the date 1369. The King's Lieutenant, De Windsor, had to ransom Desmond from O'Brien.

resurgence, and make the colony pay for the wars necessary against the Irish enemy. The sums which he wrung out of the dwindling colony, however, made the whole Anglo-Irish cry out against him. Treating apart with the citizens of Dublin and Drogheda, the knights of Louth and Meath, and the prelates, he extorted their consent to money-grants which should only have been made in the full Estates. Again at Kilkenny, in Hilary 1371, the prelates, peers, and commons of Parliament were forced into granting £3,000 " of their own pure and spontaneous will " and, to complete the terrorism, Windsor summoned a parliament to Baldoyle in Trinity of the same year, and in this poor village the chapel where the Estates met was so small and lodging so difficult that the Commons " worn out with the tedious stay " granted a further £2,000 so as to be able to depart. These sums were professedly for the defence of the " English land " but the amounts, and the method, revived Anglo-Irish sentiment ; the King was appealed to, and in October 1371 revoked all Windsor's exactions, and recalled him in March 1372.

The Irish danger, however, soon brought him back again. The Council had reported to the King in 1371 that " O'Brien, MacNamara, and nearly all the Irish of Munster, Leinster, and Connacht, *and many English* have risen and are confederated to make an universal conquest of all Ireland." The very Government, under one of the Irish earls, stooped to buy off a chief who threatened the capital itself, and Black Rent began as a way of staving off the ruin of the Anglo-Irish state. For in 1372 the Earl of Kildare, *Custos* of Ireland, and the Council offered Donnchad MacMurchada twenty marks as a reward for " the safe keeping of the royal roads between Carlow and Kilkenny " and the triumphant chief gave his receipt in royal style from his seat at Fynnor, as " Donat Kevenagh called MacMurgh." [1]

[1] *Rot. Canc. Hib.* pp. 85 and 87. *Exch. Mem.* 30, p. 342 and 233 (1372) " an English cloak worth 71s. given to Donat McMurgh now in our peace and obedience." Fynnor would seem to be Killenora (Cell-fhinnabhrach) near Kellistown, in Co. Carlow.

In 1372 a "Great Council" met at Dublin to consider the state of the realm, and the assembly called upon the King to send over Edmund Mortimer, Earl of March, who was now twenty-one years of age, married to Lionel's daughter Philippa, and thus made Earl of Ulster.[1] But Mortimer was engaged with his Welsh lands, and instead the English government, for the King was sunk in premature senility, sent De Windsor over again as "*gubernator et custos.*" He was to receive some £11,250 from the English Exchequer and was empowered to levy the subsidies extorted in 1370-1 though the King had repealed them.

Naturally his two years of office (April 1374 to July 1376) were stormy years, for, if the bankrupt English government was resolved that Ireland should pay for itself, the Patriot party was determined to have no mere English knight over-riding their parliamentary liberties A Great Council at Kilkenny, in the summer of 1374, where the magnates were especially numerous, rejected the demand for a subsidy, and the Archbishop of Armagh, Milo Sweteman, took the chief part in opposing the viceroy.

It is possible that a despotic government on French lines would have better suited the needs of Ireland; at all events the gift of representative institutions to the English colony barred out all vigorous action on the Crown's part. Advised by the returned De Windsor, the English government in 1376 tried the way of a legislative union, and issued writs to James Earl of Ormond as Justiciar to cause sixty representatives of the Irish Estates to appear before the Council of England, to treat with the latter on the affairs of Ireland, for the latter end of July 1376. The sixty were to be elected, two from each county as representing nobles and commons, two clerics from each diocese, and two members from each

[1] The Great Council (*Magnum Concilium*) was an enlarged and oligarchic form of Parliament. To that of 1374 were summoned 16 prelates, 16 abbots and priors, 3 earls, 39 barons, members for 6 counties and 5 liberties and the mayors or sovereigns of 10 towns. Edmund Mortimer was grandson of the first Earl of March, his father Roger had died in 1360.

town. The Anglo-Irish at once sensed a design to abolish their parliamentary institutions, and rule them directly from England with advice of occasional delegates from Ireland. They were indeed as little disposed to abate their constitutional liberties as the Parliament of England itself, and in the Irish parliament the Archbishop of Armagh answered for the clergy that " we are not bound according to the liberties, rights, laws and customs of the Church and land of Ireland to elect any of our clergy and send them to England for the purpose of holding parliaments or councils in England," and the whole body of nobles and commons of Ireland declared " unanimously and with one voice " that, according to the rights and liberties enjoyed from the time of the Conquest and before, they were not bound to send such representatives and though they now elected such, they reserved the right of assenting to any subsidies made in their name, moreover their present compliance was not hereafter to be taken in prejudice of the rights, laws and customs which they had enjoyed from the time of the Conquest and before.

Before such a firm and universal protest recalling that of 1341, the English government withdrew; the first attempt at an Union failed; and though the delegates went to England, we hear of no results either by way of ordinance or subsidy from their errand.[1]

Of the two patriotisms in Ireland, that of the Anglo-Irish, which Desmond had headed in 1331-41, had scored once more over a centralising viceroy; in the struggle for constitutional rights the Anglo-Irish followed the mother country and could boast a legislature as precociously mature as that of England was. That their lives and lands were in danger from the Irish enemy seemed of little importance to them beside their constitutional liberties.

[1] For the whole matter of 1374-6 see *Foedera* III. R. II. p. 1059, and Lynch's *Legal Institutions* p. 29. The writs summon the Irish representatives *ad parliamentum Anglie*, the text *penes Consilium nostrum*. The English parliament of that year ended on July 10, 1376, and so apparently the Council was meant; it is not clear therefore whether the idea of the English Government was to re-inforce the English parliament as such with elected members from Ireland.

Luckily for the threatened colony, the Irish chiefs, though they might take towns (and never again was a place so great as Limerick taken) could be bought off by Black-rents, and as they were all battle-leaders they fell frequently in those battles which they waged with the loyal Englishry. Thus the Donnchad MacMurchada whom we saw bought over in 1372 was slain in 1375 by Geoffrey de Valle near Carlow. In 1377 the very Parliament of the Pale bought off out of a depleted Exchequer one of the O'Briens, and the transaction perhaps marks the lowest point yet reached in dignity by the Norman conquerors of Ireland. The Close Rolls record how, at the Parliament of Tristeldermot in Lent 1377, the Justiciar, James Earl of Ormond, the Chancellor and other officers, with the Council and the prelates, magnates, nobles and commons of Ireland, considered among other things how Murgh O'Brien," who with a great force of Irish of the parts of Munster is now in the parts of Leinster in aid of the Irish of Leinster, and meditates making war on the King's lieges there, might best be put back from Leinster," and it was agreed that the said Murgh should have 100 marks on condition he would withdraw without delay from Leinster—for doing which the said Murgh, before the said Justiciar, Chancellor, etc., took his corporal oath on the Holy Gospels, whereupon the clergy, magnates, and commons of the counties of Dublin, Kildare, Kilkenny and Wexford freely granted the said 100 marks save nine—" but as the said Murgh would not depart unless full satisfaction were made it was agreed that the said nine marks be paid to the said Murgh out of the Treasury of the Lord the King." [1]

[1] Berry *Statutes* I. p. 473. " Murgh " O'Brien was Murchadh " *na Raithnighe,*" son of Brian Bán and head of the dispossessed Clan-Brian-Rua which had located itself east of Loch Derg in Aradh and were latter called Mac-Ui-Bhriain or MacBrien of Ara. The exaggerated traditions of Murchadh's great raid were still vivid in Munster in Spenser's day, for he says in his *View of the State of Ireland* that " Murrogh en Ranagh,' ' Morrice of the Fern,' made himself master of Clare, and next overran all Munster and Connaught and clean wiped out many great towns such as Inchiquin, Killaloe, Thurles, Mourne, Buttevant, of some of which there is now no memory or sign remaining —after which with a mighty army, he marched forth into Leinster, and soon after created himself King, and was called King of Ireland.'

James Earl of Ormond succeeded De Windsor as Justiciar from 1376 to 1379, at the old salary of £500, for the English government, bankrupt at home, thought only of getting an Irish viceroy cheap, since, while no Englishman would serve on the unattractive service of Ireland for such a pittance, a native nobleman could treat the highest office of State as a mere appendage to his great hereditary dignities.

The Leinster colony, the true stronghold of Anglo-Ireland, was at this moment threatened by the rise of the greatest hero that had appeared among the native race of that province since Strongbow. This was the famous Art MacMurchada Caemhanach.

The descendants of Donal Kavanagh, son of Dermot last king of Leinster, had in the first century after the Invasion, been vassals, tenants, and officers, willingly or unwillingly, of the Marshall Earls, of Bigod and De Valence, Lords of Carlow and of Wexford, but through all this time they never abandoned their claim to be Kings of Leinster. This claim, never quenched by their subordination to Earls and Lords, the decay of English power and the absence of the titular Lords now enabled them to display.

In 1281, as we saw, Murchertach MacMurchada and his brother Art were slain by the Englishry at Arklow. A son of this Art, Donal, was chosen king by the Irish of Leinster in 1327. The eldest grandson of Murchertach, Murchertach Rua, had a son also called Art, king in his turn, who, with his eldest son Domnall Riabhach, was captured by the English under Lionel of Clarence, and both died in prison. Then a younger grandson of Murchertach Rua, Dermot "Lámhderg" or "Red-hand," called "*Airdrig Laighen*" or "arch-king of Leinster" by the native annals, ruled till in 1368 he also was captured by the English of Dublin, treacherously it is said, and barbarously executed next year.

Another MacMurchada, Donnchad, succeeded but was slain in 1375. Thereupon Art Óg, the younger son of that Art who died in prison under Lionel, became

rightful heir, and for the next forty years stands out the foremost of Irish Kings.[1]

It was natural policy for the Government to play one chief off against another, and Dermot's son, described as "*Arth filius Dermicii McMorghide Kenseley*" was summoned in person to a parliament at Dublin held under the Earl of Ormond in Epiphany 1377, and undertook in the name of his "nation and adherence" to take the King's side against the insurgent Irish of Leinster, and was taken into service for a year at pay of forty marks. But the rising star of Art, son of Art, indicated him as the man to make terms with. Art Óg, described by the Government as "Art Kevenagh, pretended captain of the Irish of Leinster," immediately after his inauguration had taken the field with a great army of Irish and now demanded Black rent paid to his predecessor Donnchad in 1372, and, as the Government hesitated to pay, ravaged the counties of Wexford, Carlow, Kildare and Kilkenny. The Justiciar and Council therefore gave way, and later in 1377 paid the retaining fee which at the rate of eighty marks per annum became in the hands of MacMurchada the earliest of those hereditary black rents which till Henry VIII.'s time were duly and shamefully paid by the Pale.[2]

It was at this time, for 1375 is generally reckoned as the year of Art's inauguration, that a bardic poem to celebrate the occasion was written by Eoghan MacCraith, and the significance of the poem is greater than its merits as poetry, for it signalises the return of Gaelic culture, which had disappeared from Leinster since the days of Strongbow.[3]

The recognition of important chiefs as captains of their "nations" or clans now became a settled policy;

[1] I rely on the Irish Annals, the Justiciary Rolls, Keating's Pedigrees and those of O'Clery (in the *R.I.A.*) for the relationship of these Kavanaghs and other facts about them.

[2] *Rot. Canc. Hib.* p. 100 *b*. The black rent of 80 marks was paid regularly to the Kavanaghs till 1508.

[3] R.I.A. 23, F. 16. MacCraith speaks of Leinster as "the golden province" (*ni leas-ainm Laighnidh an Oir*) "from its gold deposits, and by a play on words, calls himself 'the Gilder' (*an t-Orthóir*). Miss Eleanor Knott kindly indicated the poem to me."

about the same time, 1377, the Earl of Ormond made certain payments to Turloch O'Brien "*constitutus per Curiam Hiberniae capitaneus nationis suae*" for which he claimed repayment later in 1380, when he demanded also payment for troops maintained by him against "MacMurgh, styling himself King of Leinster."[1]

As the Normans had now abandoned the idea of a final Conquest, so the Gaels had abandoned the idea of a final Deliverance. They were, in fact, all through the 14th and 15th centuries unable to uproot the great Norman families of Ireland. The class that did perish before them was the small nobility and the free tenantry whom the absentee Lords and the Crown of England left shamefully neglected. Such of these as did not disappear had, after another half-century, to turn Irish themselves in mere self-preservation, or take shelter under the great Norman families.

For the Gaelic chiefs preferred, in isolated confederacies, to ruin the towns, drive in the border settlements of the Englishry, and plant their people back again in districts apparently long feudalised. True the greater ones took openly the name of *Rex Lagenie* or *Rex Ultonie*, and occasionally such an one, invading deep into English land, was urged by his bard to proclaim himself High King at Tara, but even such a vain ceremony on the famous but abandoned hill was never achieved, and the hero would turn back content with Black Rent from the colonists, and a scarlet cloak, a fee, and the empty title "chief of his nation," from the Dublin government.

But though the military triumphs of the Irish were but partial, the revival of Gaelic tradition, language, and habit was universal: it captured the palatine lands and finally even the guarded Pale itself. Left without a University or the apparatus of culture, never reinforced

[1] *Exch. Mem.* 33 p. 13: 3 R. II. Turloch, who died in 1398, was asserting the claim of Tanistry against his nephew Brian who became King of Thomond in 1369; Brian being son of Turloch's elder brother Mahon, King of Thomond. Turloch was however driven out by Brian and the Earl of Desmond gave him land in the Comeraghs, County Waterford.

by fresh blood from England, the once promising Anglo-French civilisation of Ireland steadily decayed.

The heart had indeed gone out of the English colony. When the historians cease the end of a State is at hand. Clyn ends in 1348 and the Laudian annals in 1370; the fruits of Anglo-Irish poetry in either French or in the new English had been few; and now the "English land" could inspire neither historian nor poet. For the once wide-laid veneer of Anglo-French civilisation was wearing thin, and this is the burden of one of the few contemporary songs of the English in Ireland.[1]

> By graunting charters of peas,
> To false English, withouten leas,
> This land shall be mich undoo;
> But gossipred and alterage,
> And leesing of our language,
> Have mickly holp thereto.

In the vacuum of their own culture, the Anglo-Irish naturally turned to the wells of native culture, though their own statutes of Kilkenny forbade them to drink thereof. In the clash of the two civilisations, it was the Irish world alone which moved. The native princes, though content politically with their local lordships, aspired to rebuild the common culture of the whole race, of which they were the natural patrons. Numerous entries in the annals now suggest a revival in the fields of medicine, law, poetry, history and imaginative literature which contrasts strongly with the silence of the two former centuries.

As a symbol, for instance, of this revived spirit, Niall O'Neill king of Ulster, built in 1381 "a house for the entertainment of the *literati* of Erin" at Emain Macha near Armagh, the most famous traditional site in Ulster, once capital of Concobar MacNessa the hero-

[1] Quoted by Davies "Discovery of True reasons,' ed. Morley, p. 298. The verse charges the Government with countenancing "degenerate English" and blames these for resorting to Irish speech, fosterage, etc.

king of the Táin Bó, which had lain in ruins for a thousand years.[1]

Edward III. died on June 21, 1377, and his grandson Richard, a boy of ten, began his reign on the next day.

Edmund Mortimer, third Earl of March, was in 1379 a young man of twenty-eight. Through his wife, Philippa, daughter of Lionel of Clarence, he was Earl of Ulster and Lord of Connacht, and on the Mortimer side he was Lord of Trim and of Leix. As husband of a royal princess who combined the names of De Lacy and De Burgo, and as a great Irish magnate, his pre-eminence among the Anglo-Irish was admitted by all, and the Celts themselves honoured a prince whom they looked on as first among the " Old English " of Ireland.

The young Earl's commission was made out on October 22, 1379, as Lord Lieutenant ; he was to have the revenues of Ireland, and in addition 20,000 marks from the English Exchequer to be spread over his three years of office.

Landing at Howth in May 1380, and after collecting an army, Mortimer marched northwards and at Coleraine build a fortified bridge over the Bann and recovered this old outpost of the North. There the Ulster chiefs, once vassals of the De Burgo earls, came in and did homage in old Irish fashion :—" The nobles of the Gael came into his house headed by the heir of the king of Ireland, namely Niall O'Neill. But Art Magennis of Iveagh, was taken prisoner by treachery in the house of Mortimer, and the Gael of Ireland took fear of him from that out, so that they and the Foreigners of Ireland avoided him."

Mortimer then invaded Tyrone ; marched to the Shannon, where he recovered the royal castle of Athlone, and, continuing into the midlands, made war on " rebel English " and forced O'More of Leix to admit that he was the Earl's vassal for his lands there. Finally entering

[1] *F.M.*, curiously corroborated in Sweteman's *Register* (calendared by Lawlor *P.R.I.A.*, 1911), under date Aug. 1374 : Niall O'Neill is charged with threatening to make his manor-residence (*manerium*) at *Hewynnae* near Armagh, which is the Archbishop's land. *Hewynnae* clearly represents *An Eamhain* now called the Navan Ring.

Munster, the Earl reached Cork, but died suddenly there from the effects of crossing a river in mid-winter, December 26, 1381.

Edmund died " Lord of all the English of Ireland "—so the Gaelic annals call him—but now the lord of these was gone, and it was long before a viceroy was to make such an imposing march across the island.

The Earl's infant son Roger, now eight years of age, was left heir to the Mortimer lands, and later, in 1385, was also declared Heir to the Throne next after his cousin Richard.

Under a new Lieutenant, Philip de Courtenay, the Irish Estates, in 1385, petitioned that in view of the great power of Irish enemies, English rebels, and enemies of Scotland and Spain, the King himself or the greatest and most trustworthy lord of England should be sent over.

Sir Robert de Vere, Earl of Oxford, now had " all the heart of the king " and in December 1385 Richard made him Marquis, and in October 1386 Duke, of Ireland, with almost full royal rights. But the King's uncles would have no minion of the King, and in 1387 De Vere was an exile in the Low Countries, never having seen the realm of Ireland.

So did ineffective viceroys fill in the time till " the Lion himself came to the hunt " in 1394 : and here we may pause to survey the state of Ireland when Richard II. visited his Lordship in person.

Richard himself in a letter from Ireland, at the end of 1394, divided the people of Ireland into " three kinds of people :—wild Irish, our enemies ; Irish rebels ; and obedient English," the second being the hibernicising Norman-English, and the third, of course, the English of the towns and of the Pale.

It was in truth the second class which had fatally thwarted the hope of a thorough conquest and anglicising of Ireland, for their lands " in the marches of war " resisted royal writs, refused royal subsidies, and evaded reliefs, homages and feudal duties. They stood between the Dublin government and the Irish who had recovered

so much of Ireland; for the Irish could not be subdued or brought under the Crown without the co-operation of the march lords, and so far from helping they had, as we have several times noted, stood between the warlike Justiciars and the Irish confederacies. Without the consent and aid of this "middle nation" Ireland could not be reconquered, and so far from reverting to English allegiance, this great class, which held a third of Ireland, was becoming more and more Irish in habit, speech, custom and sympathy.

There was the point—the Normans in England, after being French till 1360, turned English and spoke the new English of Chaucer; in Ireland the Normans, after being, and speaking, French till 1360, turned first out of necessity, then with real affection, to the ancient unbroken speech and traditions of the Gaelic majority.[1]

It was at this time that the Butlers, though they lost north Ormond to the Irish, were generously compensated in the south and east. In 1391 Sir Hugh le Despenser, younger brother of Thomas of that name who was created Earl of Gloucester in 1397, sold to the Earl of Ormond the castle and manor of Kilkenny, with Callan and many other fiefs, which he had inherited from Gilbert de Clare, that Earl of Gloucester who died childless in 1324. In 1392, at the request of the Earl of Stafford, the King also granted to Ormond the custody of Stafford's portion of the Liberty of Kilkenny. Thus did the Butlers complete their lordship in Ossory, and make Kilkenny city the home of their race.[2]

The warfare of two hundred years had shown that the Irish could not be enslaved and the Normans recognised the fact. Thus in 1359, Ormond, being then Justiciar,

[1] Irish was now a companion language to French, and sometimes English, with the Normans of Ireland. Thus the Exchequer Roll which records the submissions of the Irish Chiefs in 1395 states that the Earl of Ormond spoke both languages (Irish and English) fluently—"*qui bina idiomata vulgariter loquitur.*"

[2] Carte *Life of the Duke of Ormond* (Oxford, 1851), pp. LXV.—LXXII. The FitzWilliams, barons of Knocktopher, and the Fitz-Davids of Iverk, both Geraldines, were bought out by Butler, Earl of Carrick, *circa* 1320: see *Geraldines of County Kilkenny* by Burtchaell *R.S.A.I.* 1892-3.

made an agreement with Murchertach O'Brenan, lord of Idogh, the hilly district around Castlecomer in Kilkenny; by which agreement, drawn up in latin at Kilkenny, O'Brenan swore to serve the Earl against Irish foes or English rebels, and himself keep the peace, receiving from the Earl five marks of silver yearly. Again in 1400 Geoffrey O'Brenan for himself and his heirs became the liegeman and tenant of the Earl at six marks rent *per annum*, and bound himself to pay double fines, in Irish *cáin*. if he or his men should make transgression on the Earl's tenants; the Earl on his part to make amends for trespasses of his own men.[1]

The same tale may be told of the Kildare earls. That rich plain where they began was admirably adapted from which to spread into Carlow, Leix, and Offaly, and make retainers of Old English and Irish clans. We find in 1351 Maurice, Earl of Kildare, and James, son of Lord William Bermingham of Tethmoy in Offaly, entering into an agreement by which the Earl forgives all actions that he has against Bermingham, and if the Earl have wardship, by gift of the King, of Carbery and Tethmoy [for Lord Walter Bermingham the Justiciar, head of the family, had just died] he shall grant these lands to James at twenty marks yearly up to the majority of the heirs. James with all his forces and clan ("*cum omni posse suo et natione*") shall oppose all and sundry from taking these wards—the King and Walter, heir of Lord Walter, alone excepted. If the Earl have not the wardship of the King's gift, James shall hinder all others from taking them in the Earl's interest and the latter shall reward him and maintain him and his lands in justice against all men—the King alone excepted. In later deeds of this kind even the King's name is ignored, and it is a pure specimen of the kind of Livery and Maintenance agreement which was the chief barrier to royal law and authority in England of the age of Lancaster and York.

Agreements with the Irish chiefs of the Midlands

[1] Carte *op. cit.*; and Kilk. Arch-Soc. 1849-51, p 237—; and King's Council in Ireland (*R.S.*), p. 52.

and Wicklow also stud the pages of the Kildare Rentals; thus in 1358 Earl Maurice grants lands in Hy Many in Connacht to Donogh O'Kelly, free from rent for two years, and then for ever at rent of ten silver pence *per annum*. If the rent be not paid, the Earl can enter the land and distrain. He constitutes Donogh "*capitaneus nationis suae*."[1]

Along with such terms these indentures provide for a whole catalogue of quarterings and tributes summed up by Tudor officials later as Coyne and Livery—exactions unknown to the feudal, but well known to the Brehon law.

Compared with such lordships, the Crown in Ireland had as little dominion in Ireland as the last Carolingians had beside the Dukes of Francia, Burgundy, and Aquitaine.

Such charters and indentures, the expression of sovereign right and the mark of practical independence, are found also among the Gaelic princes. Thus by written understandings O'Neill and O'Donnell strove to arrange that standing dispute over Inishowen, the vassalage of O'Doherty now Lord of Inishowen, the lordship over Fermanagh, and the homage of O'Donnell himself for Tír Conaill and Cenel Moen (the plain of eastern Tyrconnell) all of which O'Neill claimed as senior in race to the head of Cenel Conaill, and because Inis Eoghain and Cenel Moen had been four centuries ago the homeland of the Cenel Eoghain. The whole body of claim was an endemic cause of feud, but peaceful and legal ways were sought, as we see by various entries in the annals.[2]

The new relations of Gaelic chiefs with the old hated "middle nation" were also based on fosterage and marriage.

[1] *Rentals of the Earl of Kildare* 1503 and 1518: *Hist. MSS Comm.* 9th *Report*, 1883: part II. XXXVII.: *passim*.

[2] *Ann. Ult.* In 1412 Niall Óg, the O'Neill, met Turloch O'Donnell at Cael-uisce and peace was made and O'Donnell rendered submission. In 1514 Aedh O'Donnell and Art O'Neill made peace on the bridge of Ardstraw and *new charters were granted by O'Neill along with confirmation of the old ones*, for Cenel Moen, Inishowen and Fermanagh.

So far the heads of the two Geraldines and of the Butlers had married English wives but they gave their daughters liberally to the Irish chiefs. Thus Joan, daughter of Maurice fourth Earl of Kildare, the first "hibernicising" earl of his race, married Donal Cairbreach, the head of the MacCarthys, and their son Taig succeeded to the Irish kingship of Desmond. Another daughter, Elizabeth, marrying first Robert de Veel or Calf, baron of Norragh in Kildare, then, being widowed, married Art Óg, son of Art MacMurchada, King of Leinster. Joan, daughter of the second Earl of Ormond, married Taig, chief of the O'Carrolls of Eli.

In July 1392 James, third Earl of Ormond, was appointed Justiciar and ruled till the King's coming. Son of the second Earl who died in 1382, Ormond was popular with the Irish, he spoke their language fluently, and was brother-in-law of one of their great chiefs, Taig O'Carroll. In 1392 the Anglo-Irish requested the personal coming of the King, and Roger Mortimer urged the recovery of his Irish lands. The young King himself badly needed the prestige of some great military or diplomatic triumph; of all urgent affairs those of Anglo-Ireland cried most loudly for cure, and Richard, a true Renaissance prince, sensitive and subtle, seems to have felt deeply the reproach of Ireland, especially of the failure to conciliate the Irish race.

Later, a private grief also, the death of his wife Anne of Bohemia, in June 1394, made him seek distraction, and the English Parliament at Winchester, anxious to see the prestige of England restored somewhere oversea, willingly voted a subsidy for the Recovery of Ireland.

The English government had been kept well-informed of the state of Ireland and luckily the proceedings of the Irish Privy Council for the two years before Richard's arrival have come down to us. They enable us, with other evidence, to draw a picture of the problems which Richard had immediately to face in Ireland.[1]

[1] *A Roll of the proceedings of the King's Council in Ireland*, 1392-3: ed. **Graves** (*R.S.*).

The elements that the King could rely upon were found in the towns and the " obedient shires." But this area was dwindling, and the key-towns and castles were in danger. Thus the Dundalk to Mullingar line, which protected the colony of Meath and Louth, was threatened by the MacMahons of Monaghan, entrenched in the vacant Earldom of Louth, and by the O'Reillys of Cavan, who had to be bought off by the county of Meath in 1392, by permission of the Council, with a sum of eighty-four marks.

Carlow town was now so hard pressed that in 1391 an armourer was engaged to dwell there at wage of a shilling a day for three months to make arms " against the Irish then proposing to destroy the town." Next year the Council orders Carlow " the head and comfort of Leinster " to have £20 in aid, and Tristeldermot is empowered to buy off Art MacMurchada with eighty-four marks.

Yet the available Lordship of Ireland was still no small thing. Seven counties contributed whenever a parliamentary subsidy was struck. Though many inland boroughs were decaying, the towns were numerous, prosperous, and loyal. Athenry and Galway sent members to Parliament. Kinsale, the last great town along the southeast coast, was walled in 1381 ; and in accordance with the old policy charters of murage and privilege were given to fourteen boroughs in this reign.

Leinster and Art MacMurchada stood in the forefront of Richard's survey of Ireland.

Art Óg had not only many family grievances against the English, but several of his own. The rich and important barony of Norragh in Kildare had come to him by his marriage with Elizabeth de Veel or Calf, heiress of Robert of that name, a barony held in chief of the Lords of Carlow by service of three and a third knights. But, since the Statutes of Kilkenny, Art, though one of the Five Bloods, was an alien and was judged by English law incapable of succession to a feudal barony, though in fact it was in his hand.

Norragh thus was a test case—can the " mere Irish "

inherit and acquire English land? If Norragh should go to MacMurchada, then other such baronies would go the same way into Irish hands, and the work of the Conquest be undone.

Well had it been if the Crown had divided the vacant Lordships of Leinster between the occupying English and the ancient Gaelic proprietors, but it would never allow the rights of its feudal peers to suffer, even though they never saw Ireland. Reginald, Lord Grey de Ruthyn, got the Hastings Lordship of Wexford in 1390, and Thomas Mowbray, Earl of Nottingham, got the Liberty of Carlow in 1394. The solicitude of the Crown for feudal absentees did more to ruin it in Ireland than any other thing.

Turning from Leinster, the King found another derelict "English land"—the Lordship of Westmeath, once De Verdun's land, now possessed by O'Melachlin and other Irish lords.

Further afield, in Connacht, the two chief O'Conors, in order to end a succession dispute, had, in 1385, divided the old Síl Muiredaigh between them. From the first of them, Turloch Óg or Donn ("the Brown,") grandson of Turloch, younger brother of Felim of Athenry, came the race of O'Conor Donn. The other, Turloch Rua "the Red," grandson of Felim himself, founded the race of O'Conor Rua. A third branch was that of O'Conor Sligo. In spite of this one instance, the Irish dynasts were much more powerful than a century before, for the old kingships had been restored with the old tributes and prerogatives. The practice of Tanistry (*tanaiseacht* or "right to succeed,") now generally adopted, in imitation it would seem of English primogeniture, did much to strengthen the ruling races. Succession wars, which had been so often raised by '*rig-domnas*' and members of the '*derb-fine*,' did not cease even now, but at least a chief's rivals were fewer, and limited to those nearer kinsmen who were eligible to succeed by tanistry, whether brother, son, or uncle.[1]

[1] See MacNeill *Phases* p. 295. The Tanist or "next successor" was legally appointed during the chief's lifetime.

Not the O'Conors but the Irish De Burgos were now the chief lords of Connacht, and the heirs of Edmund Albanach and of Sir William in Mayo and Clanrickard—of whom the latter " MacWilliam Uachtar " was regarded as senior—extended on every hand. But it was as Irish chiefs rather than feudal barons, and by much give and take with the Irish clans. Thus in 1340 MacDermot, O'Conors marshal, chief of Moylurg and Airteach in northwest Roscommon, " extended his sway over Sliabh Lugha [formerly De Angulo's country] by the strong hand," and in 1371 O Dubhda of Mayo " recovered Tirfhiacra from the English and divided it between his kinsmen."

In the strict legal sense the Burkes were intruders upon the Mortimer lordship, but events showed how strongly they were entrenched there.

On the death of the Earl of March in 1381 the Crown became guardian of the Mortimer estates, and in 1385 appointed one Thomas O'Casey to be Seneschal of Galway city and receiver of the King's rents in Connacht, with power to hold courts, levy the royal rents and appoint officers. The Burkes took up arms against this attempt to restore the authority of the Crown and of Mortimer, and in 1388 Galway revolted under the lead of Henry Blake and others, who delivered the keys to William, son of Richard Burke, and transferred to him the allegiance due to the King.

The King's justices, Milo bishop of Clonmacnoise and Thomas Hill, were sent to investigate the case at Ballinrobe *circa* 1390, when Blake and others were indicted for treason in joining William Burke " the King's enemy," but it is significant of the ceasing of royal law beyond the Shannon that the sheriff, Walter Bermingham Lord of Athenry, refused the bishop escort, and the latter had to give the son of O'Kelly chief of Hy Many ten pounds in silver for his safe-conduct. The King's justices could no longer make their eyre safely in the former counties of Roscommon and Connacht. The facts had to be accepted; the Burkes were pardoned and left in pos-

session, but Galway city was won back to allegiance by a fresh charter, making it a royal instead of a " lord's " town, with a corporate body under an elected Sovereign. (January 1396).[1]

In the earldom of Ulster FitzUgolin or MacQuillan of the Route in North Antrim, Byset or MacEoin of the Glens, Savage of the Ards and a few other feudal families of Lecale in eastern Down with the burghers of Downpatrick and Carrickfergus were practically all that was left of De Courcy's Englishry.[2] The Clannaboy O'Neill ruled all the interior of south Antrim and north Down; O'Neill " the Great " of Tyrone ruled all central Ulster; and Turloch " an fhíona " O'Donnell, who reigned over Tyrconnell from 1380 to 1422, was also lord paramount over Fermanagh and O'Conor Sligo.

Niall Mór " the elder," son of Aedh, had been chief of Tyrone since 1368; his eldest son, Niall Óg " the younger," was now acting for him.

The military strength of the Ulster chiefs rested mainly on these freelance mercenaries, the Scottish galloglass, who had not yet spread further south than North Connacht. The O'Donnells, who had first brought them in, remained the greatest paymasters of *gallóglaigh* in Ireland. Their marshals were the Clann t-Suibhne or MacSweeneys, lords of Fanad in North Tyrconnell. With the Clan Sorley, or MacDonnells, who served O'Neill, came kinsmen called MacDugall, MacRory, MacGill and much later the MacSheehys. Some time before 1400 the marriage of Eoin MacDonnell, brother of that Donal of Harlaw who was King of Argyle and the Hebrides, with Margery, heiress of Byset or MacEoin of the Glens, led the Island Scots to enter Antrim in increasing numbers and settle under this ancestor of the

[1] Hardiman's *Galway*, pp. 160-1, and *King's Council op. cit.*, p. 230.

[2] The origin of MacQuillan is obscure. Orpen thinks the name came from Hugo (hence the diminutive ' Ugolin ') de Mandeville, whose lands lay in the Route (Rúta) of North Antrim. A Welsh origin ' son of Llywelyn ' has been given, and the MacFirbis' *Pedigrees* class ' Clan Uighilin ' among the ' Breathnaigh ' or Welshmen of Ireland, the others being Dowdall, Poer, Nugent, Eustace, Barrets, Toimín, Hedhil [MacHale], Lawless, Joyce, Clan Uilcin, and Gogan or Wogan.

Earls of Antrim. Another Scottish race, the MacCabes, came about 1350 from the Isles, and became hereditary marshals to the O'Ruaircs, O'Reillys, Maguires and MacMahons, just as MacDonnell became hereditary "High constable (*árd consábla*) of Ulster," and MacSuibhne "High constable of Connacht."

Such was the Ireland to which came Richard the Second, the first English King to land since John, and the last till James.

He arrived at Waterford on October 2, 1394, with an army, we are told, of 30,000 archers and 4,000 men-at-arms.[1] There came with him the earls of March, Nottingham, Huntingdon, and Albemarle: this latter, Edward, son of the Duke of York, and the King's cousin, was also Earl of Rutland.

Richard had in 1394 restored the Lordship of Carlow to Thomas Mowbray, Earl of Nottingham and Marshal of England, husband of the grand-daughter of Thomas of Brotherton. Finally in 1397 Thomas Mowbray was created Duke of Norfolk. To this great lord fell the negotiations with the Leinster chiefs.

It is clear that Richard's chief design was to recover Leinster by force or persuasion or both, and make it again an "English land," then to bring the English line up along the Barrow to the sources of the Boyne and, abandoning Westmeath, to prolong that line to Dundalk; thus taking in "obedient land" of all the counties from Kilkenny to Trim, Kells, and the foot of the Ulster hills. With the disobedient English and the hostile Irish chiefs he would make other terms, but first he must secure what could be saved of the Pale.

Art MacMurchada, aggrieved about Norragh and fearing a reconquest of Leinster, very naturally took arms and burned New Ross before the King; but Richard sending Ormond and the Marshal off westward against Art's allies O'More and O'Carroll, cut his way through the vale of the Barrow and arrived in Dublin, where, at the

[1] So Froissart, but the *Book of Howth* (p. 453—extract from archives of King's Remembrancer at Westminster) corroborates.

Christmas season, he took the whole Irish situation into review.

To his uncle the Duke of York in England he wrote thus: "There are in the land of Ireland three kinds of people; the wild Irish, our enemies; Irish rebels; and obedient English (*irrois savages, nos enemis; irrois rebelx; et Englois obeissantz*). To us and our Council it appears that the Irish rebels have rebelled because of the injustice and wrongs practised upon them for which they have had no redress, and unless they are wisely treated and given hope of grace, they will most likely ally themselves with our enemies."

Judging by a later message from the Irish Council, it was precisely these "Irish rebels" or hibernicized English who were the true danger to the State, and it is notable that while Ormond actively aided the King, Desmond and Kildare gave no help.[1]

Richard now determined to do what no King or viceroy had done since the Conquest, and admit the kings and primary chiefs of the Irish to full legal status under the Crown. In token of his grace, he substituted for the leopard flag of England the arms of Edward the Confessor, a saint much venerated by the Irish. So says Froissart, and thus did "four of the princypall kynges and moste puyssaunt after the maner of the countrey come to the obeysaunce of the Kynge of Englande by love and fayreness, and not by batayle nor constraynte." There followed a remarkable series of submissions, attested by legal instruments, by which the kings of provinces and some fifty of their "urrighs" submitted

[1] Richard, by the injustices done to "Irish rebels," probably referred to the passing of estates by marriage to English claimants, which had led many families such as Lacys, Burkes, Berminghams, etc., to turn Irish and become enemies of the State. A "message sent to England by the Guardian and Council" of Ireland at the end of 1399, in French, said that "the English septs (*les nacions Engleis*) who are rebels in all parts of the country, such as the Butlers, Poers, Geraldines, Berminghams, Daltons, Baretts and Dillons, are not amenable to the law, and though they wish to be called gentlemen are in truth nothing but sturdy robbers." (King's Council in Ireland, p. 255). I quote Froissart in Lord Berner's translation (*Tudor Translations*, vol. vi).

and did homage. Richard renounced all idea of a Conquest, and the Irish, under their natural leader O'Neill, decided to make a national act of submission, such as their ancestors had formerly sought in vain, to the English Lord of Ireland.[1]

During the first four months of 1395 Richard received the Irish princes in person at Drogheda or Dublin, Kilkenny or Carlow. The submissions were made province by province, and the royal Bloods were treated as suzerains over their "urrighs." The King as Lord of Ireland, and Mortimer as Earl of Ulster, received the homage of the Northern chiefs, save Turloch O'Donnell, who stood aloof and forbade his vassal Maguire to submit.

Niall Óg was now acting chief of Tyrone, his father Niall Mór being infirm. At the end of 1394 Niall wrote to "his most excellent lord Richard, King of England and France, and Lord of Ireland," styling himself "your most humble liege subject, Nellanus Oneyll, Prince of the Irish of Ulster," and going on :

"When I heard of your arrival in your land of Ireland I rejoiced greatly, and still rejoice, hoping to obtain redress for many wrongs done to me and mine by the March English. And if in anything I have offended against your Majesty's subjects, I did not do so as renouncing your lordship, for I have always recognised the same, and do so now. And had I got justice from your ministers for the wrongs done to me, I should never have exacted satisfaction, as I have done. But I am ready to make requital, begging you to receive me into grace and to be a helmet and shield of justice between me and my lord the Earl of Ulster, in case he exact from me more than he has a right to. And I am prepared to render to the Earl all rights which are justly his."

Then, on January 19, 1395, in the Dominican convent at Drogheda, in the presence of the King, Niall senior

[1] The following pages are bases on a careful study and abstract of *Exchequer K. R. Mem. Roll* (18 R. II.) in *P. R. O. L.*, a roll of 17 membranes beginning "*de instrumentis publicis indenturis et aliis munimentis tangent. terram de Hib. ad Scacc. per episcopum Johannem Sarum Thes. Anglie liberat. irrotulatis.*" The Roll of course contains only notary's copies, contemporary of course, of the original submissions, and Mr. S. C. Ratcliff of the *P. R. O. L.* most kindly writes to an enquiry of mine about the originals :—"In Chancery Miscell. Bundle 10 File 25 we have an original deed (that of Nellanus O'Neyll the elder for himself and as proxy for his son), and ten notarial instruments recording and certifying other submissions. They are all unfortunately in a poor state of preservation." I have not had time to examine the deeds thus described.

presented letters patent in latin from his son, which ran thus :

" I, Niall O'Neill junior, captain of my nation, have ordained in my place my beloved father, Niall senior, giving him power in my name, to appear before the illustrious prince, my lord Richard, king of England and Lord of Ireland, and before my lord Roger de Mortimer, Earl of March and Ulster, and to treat of peace with them for me and my nation and subjects, and to surrender whatever lands, liberties, services, and customs I unjustly possess or allow others to possess, and especially the *bonnaght* of the Irish of Ulster. Further giving him power to offer amends for all wrongs whatsoever which I have done to the King, Earl, or their lands and subjects, and to make any indentures of peace whatsoever, and seal them with my or his seal. Also giving him power to offer myself, my country, and all my goods as satisfaction for such ; also to make bond of allegiance, homage and fealty by such solemn oath as shall be thought fitting in order to obtain peace of the said King and Earl. In witness whereof I have put my seal to these presents. Given at Maddoyn, the fifth of January." [1]

On March 16, 1395, Niall, or " Nellanus juvenis Oneyll capitaneous nationis suae," did homage to King Richard in the Dominican convent at Drogheda, the oath being interpreted from Irish by O'Lacheran, a priest of Armagh diocese. Niall admitted himself Richard's liegemen, and swore to obey the King and his deputies, and come to parliaments when summoned by the King or his deputies.

The rest of the Irish kings followed the lead of O'Neill the Great. Those of Ulster, who looked on O'Neill as their racial head, " gubernator " or " princeps," on the Earl as their overlord, and on the King as Lord paramount, and who submitted at Drogheda during March, were Magennis, O'Cahan, O'Hanlon, MacMahon, MacGilmore, MacCabe, a galloglach captain, and John MacDonnell " chief of his nation, and Constable of the Irish of Ulster." This was Eoin Mór, husband of Margery Byset.

From Meath and south Ulster O Melachlin, Macgeochagain, O'Molloy, O'Farrell of Annaly, O'Reilly of east Brefni and others came in and submitted at Drogheda.

Brian O'Brien, " *Princeps Tothomonie*," wrote to Richard early in February, offering to submit, and affirming that " among all the English and Irish of your land of Ireland I have acquired no lands or possessions

[1] Maddoyn I cannot identify. Possibly it is Mag-duma, which Hogan's *Onomasticon* gives as the name of a plain close to Armagh.

by conquest, but only such as your predecessors, Kings of England, granted to my ancestors, and whatever complaints English or Irish have against me in this matter, I submit to be judged in the presence of your Majesty."

On March 1, Brian did homage to the King in a room of St. Thomas's abbey, Dublin, his interpreter being the Earl of Ormond, "*in lingua hibernica bene eruditus.*"

Turloch O'Conor Donn, who claimed to be the true King of Connacht, delayed submission till he feared that Turloch O'Conor Rua would find favor with the King, and then wrote on April 3, from Roscommon as "*Teotricus O'Chonchowyr, Major Hibernicorum Chonachie dictus, vester semper humilis obediens subditus*" stating that the greater part of the Irish of all Connacht were subject to him (*michi subsunt*). Finally he appeared on April 29 in the Friars' Minor at Waterford, and did homage on bended knee to the King, along with Brian O'Brien who now renewed his submission. Turloch's oath bound him to be faithful in all things, and to come to the Lord Richard, King of England and Lord of Ireland, and to his heirs, and to their parliament and Council whensoever they should summon him, and to do all that a good and faithful liegeman ought, and is bound, to do to his natural liege lord.

At this imposing ceremony, which was attended by the Archbishop of Dublin, five bishops, and three earls, after homage had been rendered, the bishops of Kilfenora, and Kilmacduagh, both Irishmen, attested that O Conor, as king of Connacht, had power to do liege homage for these nations—O'Hara, O'Gara, MacDermot, O'Madden, O'Ruairc, O'Kelly, O'Dowda and four other chiefs of Sil Muiredaigh. Also that O'Brien had power to speak for these—MacConmara, MacMahon, O'Conor, O'Lochlin, O'Hechir, and O'Dea. Of these, Tadhg O Kelly and Taig MacConmara submitted at Kilkenny. The chiefs of Upper Ormond submitted as vassals of the Earl of Ormond. Turloch O'Brien, son of "Murchadhna Raithnighe," Taig O'Carroll, king of Eli, two O'Dwyers,

and Philip O'Kennedy submitted at Kilkenny, on April 25.

"Tatheus Makarthy, *Princeps Hibernicorum Dessemonie*," that is Taig MacCarthy Mór or Major as he styles himself, also wrote to Richard in a letter dated February 13 from Ballaghath thus: "I submit myself and all my goods to your domination; I and my ancestors from the time of the Conquest were faithful to you and your ancestors; I will attempt nothing against your Majesty, nor will retain any lands save those I hold from you and from my Lord, the Earl of Desmond." Next, at Kilkenny on April 6, Tadhg did homage to the King, undertaking like others to attend Parliaments when summoned. Two other MacCarthys also did homage.

So far the terms had been honorable and advantageous to the Irish, but a different note was struck in those made with the Leinster chiefs from whom the King and the absentees designed to recover the old earldom of the Marshals. The natural chief of these was Art MacMurchada who was recognised as Prince of, and answerable for, the 'urrighs' of the province.

"An indenture made the 7th day of January (1395), in a field near Tyllagh (Tullow), between Thomas, Earl of Nottingham and Marshal of England, and Arthur MacMourgh, liege of the said Lord King, for himself and his men. He promises to surrender all lands, castles, etc., unjustly held, and swears for himself and all his subjects to keep fealty to the King, his successors, and deputies. Also by the first Sunday of Lent he will quit the whole land of Leinster with all the armed men of his nation and following, retaining all his movable property, and shall have, both he and his men, wages from the King to go and conquer other lands occupied by rebels against the King. And Arthur and his men shall have and hold such lands as they may conquer of the King and his successors as his true lieges and subjects, and enjoy them for ever in hereditary right. Also the King shall provide for Arthur eighty marks a year for ever together with the heritage of his wife in the barony of Norragh." [1]

By the same indenture were pledged Art's "urrighs" in Leinster, O'Byrne, O'More, O'Nolan, O'Murchada,

[1] Richards patent for Norragh is referred to in Rot. Canc. Hib. p. 156, under 1400, when it was confirmed by Henry IV. The "armed men," etc., are in the text "*omnes homines armati bellatores' seu guerrantes de comitiva familia seu nacione ejusdem Arthuri*": like the transplantation to Connacht under Cromwell, the fighting aristocracy was to migrate and the peaceful labouring Irish remain. The *galló-glaigh* had not yet got to Leinster and Art's troops are called in *Loch Cé* Annals, 1398, "retained kerns" (*ceitherna congbhala*), viz., light nfantry.

O'Dunn, MacDavy More and others of Hy Kinsella; they are to abandon Leinster at the date fixed and be at the King's pay till they conquer fresh lands.

These oaths were pledged on the Holy Scripture and the cross, and the Earl affixed his seal on one hand and MacMurchada and O'Byrne on the other; the witnesses being Brother Edmund de Valle, Master of the Hospital at Kyllergy, and fourteen knights of the Leinster English.

Then "in a field at Balygory on February 16, Gerald O'Bryn, Donal O'Nolan, Malachy O'More, Murgh O'Conor, and other chiefs of Leinster did homage to the Earl Marshal, and thereupon Arthur MacMourgh captain of his nation, seated on his black horse, did liege homage under the same form as the rest, and bound himself, if he should not observe the conditions already entered into with the Earl, to forfeit to the Papal camera twenty thousand marks."

Successively and at various places, Dublin Castle, Carlow, Leighlin and Tristeldermot there submitted to the King or the Earl, the petty chiefs of Hy Kinsella, MacGillapatric, O'Toole, O'Brenan, O'Demsy, O'Nolan, and the powerful captains of Leix and Offaly, viz.: Malachy O'More and Murchadh O'Conor Faly.

All the submitting chiefs left hostages in the King's hands, for the performance of their contracts; Art's hostage being the son of his brother Thomas Carrach Kavanagh.

Finally "on the first of May in the King's ship called Le Trinitie in the port of Waterford came Terrelagh O'Concor Don de Conacia, William de Borgo, and Walter Bermygam who formerly, as was said, were rebels against the said King, who came on board and were created knights by the King." Of these the second was the Clanrickard Burke or MacWilliam Uachtar, whose practical possession of Mortimer's nominal lordship in Galway was thus admitted.

To crown the whole entente with the royal races of Ireland, King Richard during the negotiations, invited O'Conor, O'Neill, O'Brien, and MacMurchada to Dublin,

entertained them nobly, and on Lady Day made them knights in St. Patrick's Cathedral.[1] The ceremony is described by Froissart from the relation of one Henry Christede, a squire of King Richard whom Froissart afterwards met at Eltham. This Christede told the chronicler that he spoke French, English, and Irish, for from his youth he had been brought up in Ireland and had spent many years among the Irish, for, one day while riding to war against the Irish with his master the Earl of Ormond, his horse took fright and carried him among the Irish of whom one, by a great feet of agility, jumped on the back of his horse, held him fast and carried him to his house " which was strong, and in a town surrounded with wood, palisades, and still water called Herpelipen." With his captor, who was a very handsome man, called Brin Costerec, Christede lived for seven years, married Costerec's daughter and had two girls till " Art MacMurchada King of Leinster raised war against Lionel Duke of Clarence, and, the English prevailing, my father-in-law was taken, but was released on condition he would free me, which at first he would not do, because of his love for me, his daughter and our children, but finally accepted on condition he might keep one of my daughters. So I returned to England with my wife and the other daughter and dwelt at Bristol. My two children are married, the one in Ireland has five children and the one with me has six, and the Irish language is as familiar to me as English, for I have always spoken it to my wife and introduce it as much as I can among my grandchildren."

[1] So Froissart who names the Kings as Aneel the Great King of Mecte, Brun King of Thomond, Arthur Maquemaire King of Leinster, and Contruo King of Chenour and Erpe. These obviously are O'Neill of Meath (*recte* Ulster), Brian O'Brien, MacMurchada and O'Conor of Connacht. But which O'Conor was it? O'Conor Don, if he was knighted on Lady Day, would hardly be knighted again on May I. at Waterford. Possibly his rival, Turloch O'Conor Rua, came with the other three kings and was accepted as chief of the Connacht Irish by Richard. Froissart's " Contruo " suggests the Irish ' O Conchobhair Ruadh ' ; this would explain O'Conor Don's hurried submission and subsequent knighting of Waterford. In a letter to Richard, written after submission, Niall Og O'Neill styles himself " *de vestra creacione miles* ' (*Exchequer K. R. Mem. Roll.*). A Gaelic poem (*M.S. R.I.A.* 23. H. 8 fol. 51) calls Turloch O'Conor " the King of England's knight—*Ridire Righ Shacsan.*")

"Ireland" continued Christede "is one of the evil countries to make war upon or to conquer, for it is closed strongly and widely with high forests and great waters and marshes and inhabitable places. A man at arms being never so well horsed and ride as fast as he may, the Irishmen will run as fast as he and overtake him, leap upon his horse, and draw him down. They be hard people of rude engen and wit, and set nothing by jollity, fresh apparel or nobility."

It was Christede and the Earl of Ormond who interpreted for King Richard to the four Irish kings, and induced them to accept knighthood after feudal fashion, though they answered proudly that it was their custom for every chief's son to take arms at seven years of age. The haughtiness of the Norman towards his inferiors was foreign to these elected chiefs; they sat at table with minstrels, servants, and retainers, and ate and drank with them. Attached to their Irish raiment, these kings accepted with reluctance from Christede the linen breeches and gowns of silk, furred with minever, which were necessary for the ceremony of knighting. So afterwards they departed, having asserted in a dignified aloofness the tenacious traditions of their race.[1]

So the King of England sailed from Ireland on May 15, 1395, after eight months stay in Ireland.

With the exception of the Leinster chiefs, the settlement had been a triumph for the Gaelic chiefs—indeed it amounted to that solution which the authors of the Remonstrance had proposed, of dividing Ireland between them and "the middle nation." They established their argument that they had always held lands from the English Crown: whatever they had usurped they would surrender, and MacCarthy, O'Kennedy, and O'Neill clearly admitted respectively Desmond, Ormond, and the

[1] The illumination in Creton of Art's meeting with Gloucester in 1399 represents Art MacMurchada with high conical cap covering the nape of the neck, parti-coloured cloak, long coat and under-coat, all of gay yellow, crimson and blue. He is charging on horseback. See "*King Richard*," a contemporary French poem by Jean Creton (*Harleian* 1319 *Brit. Mus.*) printed in *Archaeologia*, 1824.

Earl of March, as mesne lords between them and the Lord of Ireland. After such binding instruments, no doubt could exist that now they had received legal status for lands and captaincies. That the Gaelic lords of land did not seek nor obtain such legal title till Henry VIII. is a statement that cannot be maintained, though it has been asserted.

But the settlement with MacMurchada and his " urrighs " makes one wonder how the English king could suppose, or the Leinster chiefs undertake, that such sweeping conditions could be fulfilled. Could Richard's parchment deeds effect it, the whole of modern Leinster, including Offaly and Leix, remote places which even the Norman conquerors at their best could neither conquer nor inhabit, would know the captains of nations and their swordsmen no more, and such humble and toilsome Irish churls as should be left would not debar Leinster from becoming once again an " English land."

But where would MacMurchada lead his Irish captains, and where were the lands of " rebels " whom they could dispossess ? We cannot suppose that the Leinster chiefs seriously meditated leaving the fair hills of their hereditary province, to adventure among the O'Briens and O'Carrolls of the West or the soldier races of the North ; and to oust Geraldines and Burkes, even where these were " Irish rebels," would have been equally hard.

Whatever may have been intended, we know that Richard's high hopes came to little. The Irish dynasts were glad of the additional prestige of a title from the Crown, and were flattered when bards addressed them as " knights of England's king."

But the Anglo-Irish Parliament, with its French and English speech, its feudal peers and bourgeois commons, was not an assembly where they would have felt at home any more than they would feel secure in the streets of Kilkenny or Dublin, and till the age of Henry VIII. that assembly remained devoid of Gaelic peers and commons.

Art and his " urrighs " took no step towards vacating Leinster, and the Lordships of Carlow and Wexford,

like the Earldom of Ulster, for the most part remained Irish with but an English fringe, the nominal tenants of an absentee lord.

The Gaelic annals pay little regard, and that partisan and vague, to these weighty diplomatic events of Dublin and the *Rí Saxan*. Indeed they seem to regard Richard as a foreign conqueror whom it was legitimate both to fight and to outwit. Thus they say of Art MacMurchada that " he went into the King's house at solicitation of the English and Irish of Leinster, but he was detained a prisoner on the complaint of the Earl of Ormond. He was afterwards liberated but O'Byrne, O'Nolan, and O'More were kept in custody." Thus they justify Art's not keeping faith with Richard later.

On Richard's departure, the Earl of March was left as the one hope of the colony. He was created Lieutenant in April 1396 and held the office till his death. Leinster was still the test of power. Here Art MacMurchada still held Norragh, but he and "the Irish of Leinster" refused to depart according to their engagements. The Earl of March, therefore, backed by Ormond, made war on the clans of Leix and Wicklow, and finally in a petty encounter was achieved the ruin of the two Houses of Plantagenet and Mortimer. An Irish army under O'Byrne and MacDavy Mór menaced the Carlow settlements, and the Earl of March engaged them in battle at Kellistown near Leighlin. But his little force was overwhelmed, and Earl Roger, who wore, it is said, only the linen dress of an Irish chief, was slain, on June 10, 1398. The ill-omened name of Mortimer, to which Ireland had been so fatal, devolved on a young son, Edmund and a daughter Anne.

Thus in an obscure Irish battle died the Heir to the throne of England, and the way was clear for the usurping House of Lancaster. Filled with fury and despair, Richard declared MacMurchada's lands in Norragh forfeit, bestowed them on his half-brother Thomas Holland, Duke of Surrey, and granted the lands of Hy Kinsella, forfeited by the false Irish, to one John de Beaumont. Surrey was created Lord Lieutenant, and landed at Dublin October 7, 1398.

The Irish Council later informed the King: "O'Neill is threatening war unless his hostages are released; MacMurchada has told his wife that he means to have the barony of Norragh, and the arrears of his annuity; meanwhile he has gone to Desmond to aid the Earl there against the Earl of Ormond." [1]

Under the insistence and obsession of Irish affairs, Richard made the fatal decision to return to that *damnosa hereditas*, to avenge Mortimer and vindicate the royal majesty against the Irish.

A fresh army was raised and Richard, leaving his uncle the Duke of York to guard England, landed at Waterford on June 1, 1399, accompanied by the Dukes of Exeter, Salisbury, and Gloucester, and later by his cousin the Duke of Albemarle whom in 1397 he had created Earl of Cork.[2]

From Kilkenny the whole army marched against MacMurchada, suffering terribly in the townless and trackless hill country of Wicklow, and as Art could not be drawn to battle, the King sent Thomas Earl of Gloucester to meet the King of Leinster, who, rejecting all ideas of pardon and submission, declared "I am rightful King of Ireland, and it is unjust to deprive me of what is my land by conquest."

The meeting between Gloucester and Art with his three thousand men, in some unnamed glen in Wicklow, as graphically told by Creton, and pictured in his text, gives us one of the few personal pictures we have of a mediaeval Irish king. Art is described as a fine large handsome man, of stern indomitable mien. His horse, which had cost him the price of four hundred cows, had neither saddle nor housing and rushed down the hill

[1] *King's Council op. cit.*, p. 261. O'Neill above was Niall Óg, for the elder Niall had died in 1397.

[2] Richard's second visit is described in a contemporary French poem by Creton, already noticed. The *Loch Cé* annals 1398 (*recte* 1399) say: "King Richard came to Ireland and MacMurchada, King of Leinster, was much weakened. MacMurchada went on a hosting, and the English of Leinster and Meath overtook him, and a great many of the Saxons fell and many of MacMurchada's hired kerns, and four chiefs of Leinster."

faster than any deer or hare. Facing the Irish king who was dressed and mounted as his ancestor Dermot had been, the illumination shows the serried ranks of Gloucester's mailclad English knights, the heroes of 14th century Europe, but useless in Irish war.[1] MacMurchada demanded peace without reservation, and when Richard, who with his sorely-tried army had reached Dublin on July the first, heard this, he paled with anger, offered a hundred marks for Art alive or dead, swore he would burn him out of his woods, and marched fruitlessly back to Waterford. There the news of Derby's landing at Ravenspur reached him, and the last of the Plantagenets sailed for Milford Haven on August 13, 1399, to meet his tragic doom in England.

So Art Kavanagh, having first wrought the death of Mortimer, now by delaying Richard in the wilds of Leinster let in usurping Bolingbroke and wrecked the unity of England for a hundred years. We may say that after Richard the English Lordship of Ireland in any real sense ceased to exist. Never again till Tudor times was such an attempt possible. Henceforward a Gaelic and Norman aristocracy divided the land, and only a few towns and eastern shires stood for that " land of peace " which a century before had embraced the greater part of Ireland.

[1] The illuminations to Creton's poem (*Harleian MS. Brit. Mus.*) have several times been reproduced, see Green's *Short History*, illustrated ed. 1898.

CHAPTER XII

THE GAELIC REVIVAL, 1399-1449

THE year 1400 marks a new age for both England and Ireland. For England, after one more brilliant thrust, came the end of her imperialistic adventures in France, dearly paid for at home by the wreck of internal unity, by the decay of all governance, and growth of local lordship, and by all those evils which culminated in the grand dynastic and aristocratic feud known as the Wars of the Roses. The realm of "usurping Lancaster" was not only feeble in itself, but in actual extent was smaller than England had been for two centuries, with France lost, Scotland free, and the royal power only a name in most of Wales, the North and the West.

For the Lordship of Ireland, we have a similar picture: an ever-dwindling "English land," the Celtic fringe growing into a broad mantle covering half the island, and in the rest, the once-Norman barons reproducing that particularism which was the general feature of Europe at that age, and showing as little reverence for legal Monarchy as Percy did in Northumberland or the Valois Dukes in Burgundy.

The dismemberment of the imperial England of the Plantagenets was linguistic as well as political and racial. The new English of Chaucer became by 1400 the official and national language of England, and the worn-out French of the once-Norman court and nobility was put away.[1]

But in Ireland neither English nor French had struck

[1] "On petition of Parliament in 1362 King Edward III. enacted that 'as the French language is much unknown in the realm, all pleas shall be pleaded before the King's Justices or in the courts and places of other lords in English and enrolled in latin'": *English Constit. Docs.* Adams and Stephens, p. 128.

deep root and had a Statute of Parliament imposed the "mother tongue" on Ireland in 1363 it would have been Irish. Never officially recognised, Irish did in fact become the almost universal speech of Ireland in the two centuries from 1350 to 1550. An antiquated English survived in the towns and a few rural areas, and the heads of the Irish Government had to correspond with England in the new English. But the language of parliamentary statutes remained French or latin till Poynings' Acts of 1495, and the nobility continued a form of the French which their ancestors had brought to Ireland, using at the same time the language of their Irish tenants and allies.

Down to Richard II., the kings and nobles of England had been Frenchmen, with a certain cosmopolitan breadth and tolerance. Now from the gloomy Henry IV. onwards, who adopted the new English tongue as one way of bolstering up his unreverenced throne, we have an Anglo-saxon England, hard, nationalistic, military, and insular.

The new Lancastrian England had at first little time, and later little heart, to adventure on a Re-conquest of Ireland. While the revived French wars were on, from 1415 to 1447, she had few troops to spare, and if hard-faced generals trained in France came over as viceroys, it was with small array and rather to carry out strafing expeditions than to make a gallant war and a noble peace.

Gerald third Earl of Desmond, who died in 1398, after forty years in his earldom, illustrates how far by this date the Anglo-Norman of Ireland had become Irish. His affection for the native race was displayed when he procured permission for a MacNamara, though one of the Irish enemy, to go to Oxford to study, or again when he got royal licence for his son James to be fostered with Conor O'Brien.[1]

[1] Harris *Collect.* III., p. 209: De Windsor, by intervention of Desmond and "at request of our dear and faithful son Conmar MacConmarre chief of his nation," grants permission to Matthew MacConmarre, cleric of the diocese of Killaloe, to go to England and study in the schools of Oxford and elsewhere; given at Limerick, 1375.

We find in Earl Gerald that sensitive temperament which, whether it came from their fabled Italian, or their actual Irish and Cambrian blood, recurred constantly among the Geraldines, and made them the most loved and longest lamented of the "Old English." His father Maurice had been dubbed a "rymour" by Arnold le Poer, but we do not know whether he rhymed in French or Irish. But Gerald's Gaelic verse was admiringly preserved both in Ireland and in the Highlands, and if it is not of much merit, we find it in the Earl's sensitive and reflective mind. His epitaph in the Annals of Clonmacnois—"he was a nobleman of wonderful bounty, cheerfulness in conversation, easie of access, charitable in his deeds, a witty and ingenious composer of Irish poetry, a learned and profound chronicler, and in fine one of the English nobility that had Irish learning and the professors thereof in greatest reverence of all the English of Ireland" makes him a man after the heart of those Gaelic *literati* who so powerfully controlled Irish opinion.[1]

The popular imagination took hold on Gerald and made of this princely and generous personality a race-hero alike of Gael and Old English. Like the Celtic Arthur among the Britons, it was believed for centuries that "Gearóid Iarla," who was but asleep, would rise again on an enchanted steed from beneath the waters of Loch Gur to save Ireland in her extremity.

Gerald's son, Earl John, was drowned in the Suir within a year of his father's death, leaving a young son Thomas, and between the youth of Thomas and the Irish fostering of James, son of Gerald, was acted afterwards a strange drama.

More Irish even than Desmond, Clanrickard in the West took the place of O'Conor as King of Connacht.

[1] The Earl's verses are found in the *Book of Fermoy* and in *the "Dean of Lismore's Book"*—a latter a Scottish Gaelic compilation of 1512, and his French ones in The *Book of Ross*: see Croker's *Popular Songs of Ireland*, p. 287.

In 1400 the city of Galway was again in rebellion under Sir William de Burgo of Clanrickard, and in vain did the Government licence one Philip Taylour of Swords and others to reduce it and make what gains they might out of their privateering, for the land beyond the Shannon was lost, and in 1403 Sir William was himself made Deputy for Connacht and charged to enquire into Mortimer's lands there. His successors made the title hereditary, though without leave, and except that Galway city remained true to English speech and law, and the English and Welsh baronage preserved primogenitary succession, Connacht became practically an Irish land. To the Irish long accustomed to a racial division, MacWilliam was " Lord of the Foreigners of Connacht " as O'Conor was " Lord of the Gael of Connacht." So did Irish captaincy assert itself with the Burkes, and in 1402 Walter Burke, grandson of Edmund Albanach, was made MacWilliam Iochtar, and Ulick or William Burke was made MacWilliam Uachtar and the former acknowledged the latter as his lord.[1]

In central Ulster O'Neill of Tyrone reckoned seven urrighs, Maguire, Magennis, O'Cahan, MacMahon, MacDonnell, O'Hanlon and MacQuillan, as his vassals, though their military service or " bonnacht " rightly belonged to Mortimer. In Antrim MacDonnell, MacEoin, and Mac Quillan ruled. O'Neill of Clannaboy, Magennis of Iveagh, and other Irish races hemmed the English of Down into the seaboard, where Savage of the Ards, White of Dufferin and other landed Englishry, with Carrickfergus, Carlingford, and Down represented almost all that survived of De Courcy's time till the age of the Tudors. The Savages became practically hereditary Seneschals of Ulster, and in or about 1410 the Ulster colony sent a petition to the Government, praising the Seneschal, Janico Savage, for his noble defence against Irish, Scots, and Bretons : the signatures were almost all that stood for the Crown

[1] D'Alton Hist. Co. Dublin, p. 291, and Harris *Collect* : IV. p. 138. *Deeds of Blakes of Athenry* ed. Hardiman p. 210, a deed of 1543 begins ' *nos Dominus Willelmus de Burgo miles Riciardorum dominus ac Regis excellenciæ in Conacia capitaneus.*'

there. In the same year, the provost and commons of Carlingford wrote to the King : " Our town lies in a valley between mountains and sea, facing the marches of Louth, and contains only twenty carucates of lowland and is often plundered by Irish and Scots "—so the King freed it for a number of years from subsidies and military service. So the South Ulster border, a vital point, " the Gap of the North," was lost, and communication with the northern colony had to be by sea. In 1302 Ralf Pipard had surrendered his lands about Donaghmoyne to the Crown, and how to get a defender for this marchland at the foot of the Ulster hills became a problem. Twice under Edward III. Donaghmoyne was let to Anglo-Irishmen, charged to build a castle there and settle English tenants. But finally the Lieutenant, Thomas of Lancaster, let it with the lordship of Farney in South Monaghan to the local chief, MacMahon.[1]

Of the lost provinces, John Talbot, later Earl of Shrewsbury, claimed the manor of Lochsewdy through his wife, a descendant of the last Theobald de Verdun, but in fact the Lordship of Westmeath had gone derelict. De Lacy's baronage, Tuits, Petits, Tyrrels, Daltons, Herberts, Dillons and such still held their ground tenaciously there, save for the south-west corner along the Shannon, but they were now " nations," almost oblivious of English law and feudal duty.

So were most of the further colonists. Only by connivance of the great Earls and March lords could royal writs run and state taxes be collected in the inland territories, a connivance not always given.

In 1399 the Council had complained to the King: " the counties of Meath, Ulster, Wexford, Tipperary, and Cork which have been given as palatinate liberties yield no revenue to the Crown, which also gets nothing from counties Carlow, Kilkenny, Waterford, Kerry, Limerick,

[1] D'Alton's *Drogheda* II. p. 114. O'Laverty *Diocese of Down and Connor* V. p. 342 : signatories to the petition about Janico Savage are the bishop, the Prior, and Archdeacon of Down, the Abbots of Inch and Grey Abbey, the community of the city of Down, the towns of Ardglas and Kilclief, and George Russell, baron.

Connacht, and Roscommon." No doubt this was somewhat exaggerated but substantially the nearer parts of Meath and Leinster were now all that was left of the true "English land." The Absentees had ceased to count, and in Leinster the titular Lord of Carlow, now Duke of Norfolk, the Lord of Wexford, now Grey of Ruthyn, and Edmund the last of the Mortimers, Lord of Leix, were but empty names. When Richard, only son of Thomas le Despenser Earl of Gloucester, died in infancy in 1414, the Earl of Ormond became complete master of the Kilkenny liberty.

It was to retain and reinforce the "English land" that the martial viceroys of the next half-century came. But the race-recovery of the Irish and the rapid hibernicizing, which meant also the feudalizing, of the "Old English" made Anglo-Ireland even less substantial than it seemed. No laws for defence of the Pale, nor absentee acts, numerous as these were, could check the flight to England, or into the towns, of the labourers who could not endure a land of war, of priests who would not dwell among the Gaelic-speaking people, and of freeholders whose places the lords preferred to fill with Irish tenants. The exodus of the lesser Englishry became marked, and the rural population became Irish again, for, as farmers, they were willing to bear heavier burdens than the colonists, and as fighting men they suited better the traditions of Irish war. In vain did statutes strive to check this many-sided emigration, and it would be hard to estimate which did more to ruin Anglo-Ireland, the flight of the freeholders and cultivators, or the departure of the learned. Lest the supply of lawyers, scholars and theologians should perish and as Anglo-Ireland had no University, the Government granted licences to spend a term of years at Oxford, Cambridge or Paris, but always with a fear, often justified, that the absenting one would never return. It is noticeable that the flight of ecclesiastics was mainly from Wexford, Waterford, Kilkenny and Louth, counties where the alternatives for the Englishry were to turn Irish or

emigrate. In spite of all penalties, there was a constant departure without return, and the English blood decayed rapidly in the " obedient shires " themselves. Against such a tide all re-issues of the Kilkenny statutes or other such attempts to keep an all-English land were futile.[1] For the Anglo-Irish lords themselves fostered the Irish revival, largely because they found the prerogatives of Irish kingship more lucrative and suited to native tradition than their feudal ones. Their ever-growing lordships naturally took a shape here after the traditions of Ireland and hence arose all those exactions—" coign, livery, mart, bonnaght, kernty," etc.—which the English tenants would emigrate rather than endure. Coign and livery together meant the exacting of pay and provender for horse and man, and the quartering of troops. Coign—" coinmhedh " or maintenance—was the right of Irish kings to be maintained, as they travelled, by the country, and is parallel with the Anglo-saxon " feormfultum " and Anglo-Norman " purveyance."[2]

To maintain the chief's mercenaries and provide him with food-dues were acknowledged obligations that lay on the chief's whole "country," for he had but a private demesne apart from these prerogative rights. The hibernicizing English, who were already possessed of vast feudal rights, sought to add to them the prerogatives of Gaelic chiefs. The southern Earls, the Burkes of Connacht, and other great lords already had such rights over their Irish, and henceforth extended them over their English, tenants. The pitiable necessities of State aided gave colour to

[1] See *Excheq. Mem.* vol. 34 passim for numerous cases of flight of ecclesiastics, and government permission to go to English universities to study. The sheriff is often ordered to distrain 2-3 of the property of obstinate absentees, according to statutes. Many Old Irish got leave to go to English universities or at all events went there, see the case of one MacNamara formerly, and *Ann. Ult.* 1382 : Matthew Ua Eoghain " the Great Master," archdeacon of Devenish on Loch Erne, who spent fourteen years continuously at Oxford reading and lecturing (*ag denumh leighinn*).

[2] A case of exemption from ' coign ' is given in *Nat. Facs.* II. pl. LXI. *circa* 1160, from the Book of Kells : the church of Ardbreccan is exempted by deed of the High King and the King of Loeghaire in Meath from a tribute due to the latter, viz., one night's ' coinmhe ' every quarter of a year.

practices so hateful to 16th century Deputies and reformers of Ireland. The revenues were so small and the Crown lands so negligable a quantity that the very ministers of the Crown had to fend where they might. The very act of the Parliament of 1297 that for the defence of the English land " each holder of twenty plow-lands shall provide a horseman fully equipped " was turned against the common Englishry, for the officers of State began, in default of an honest revenue, to quarter their troops on the English of the Pale, and thus put the act to strange effect. In 1404 the Estates, in granting a carucage of half a mark on the plow-land, made a condition that coign and livery be not exacted, and in 1410, that " no Lieutenant or Justiciar shall put coign or livery upon the people." But they had finally to connive at this convenient if hated method of providing for the defence of the Pale, and the great lords took example thereby. For by now every march lord had his hired kerns or gallóglaigh, the heads of Old English families became practically chiefs of nations, and the quartering and enforced payment of these troops at the expense of the tenantry, Irish and English, became universal.

The change from seignory to chieftainry is seen most clearly in the Connacht Burkes. A Gaelic tract of this family in recording their mensal lands, rents and rights " according to testimony of O'Dowda and the brehons " gives eighteen score men as the " rising out " from Tirawley, and states that " the chief lord gets his rent first and every land whose inheritor could not pay his due tributes is proclaimed MacWilliam's." The March English now had their galloglass like any Gaelic chief. In 1399 the Mayo Burke brought the MacDonnells into Mayo, in 1420 the Earl of Desmond brought MacSheehy into Desmond, and by the sixteenth century there were six MacDonnell septs in Leinster. Well did these " Norse warriors " earn their pay, thus in a famous fight at Athligen in 1419 between the two MacWilliams only two of the galloglass on either side survived.[1]

[1] *Historia familiæ de Burgo op. cit.* For the spread of the MacSweenys see Paul Walsh *Leabhar Chloinne Suibhne*, which (p. XXV.)

And yet in all the swollen lordships of the Old English there is little that cannot be found among the "overmighty subjects" of the England of the same age.[1]

Embarrassed as it was at home, Henry IV.'s government had to turn its eyes towards Ireland. For one thing, that formidable rising of Owain Glyndwr in Wales seemed like stirring the troubled waters of Celtic Ireland too. This great Welshman tried to bring malcontent Ireland into a league of Welsh, Scots, and French against the Saxons of England. In November 1401 he sent messengers with letters in latin to the "lords of Ireland" urging them to send him aid against "our and your deadly foes, the Saxons," and though we do not know who these were, it is probable that Art MacMurchada whose armies held the field within a short sail of Wales, was among them. But Owain's messengers were captured ere they got oversea, and executed without pity, and Glyndwr afterwards neither sought nor found help from Ireland.[2]

In effect, the formidable Art had been mollified by a re-grant from Henry of Richard's patent of January 1395, securing to him the fee of eighty marks per annum, and the heritage of his wife in the barony of Norragh. This was done at the request of Sir John Stanley, who came over as Lieutenant in March 1400, who wrote that MacMurchada was "the most dreaded enemy of the English in Leinster." Thus Art became a feudal baron

records Turloch O'Donnell's terms with his galloglaigh between 1380 and 1399. "O'Donnell bestowed on Clann Suibhne six scores of axes of *buannacht bona* [maintenance at cost of O'Donnell's subjects] out of Tyrconnell in perpetuity for ever, also the right to a circuit of Tyrconnell once a year [at the people's expense], the spending of three nights in each house in Tyrconnell, two ballybetaghs in Fanad, and the right to sit by O'Donnell's right side when visiting him. MacSuibhne to furnish to O'Donnell's rising out two galloglaigh for every quarter he held."

[1] "The Earl of Devon and Lord Bonville carried on a quarrel of such ferocity from 1440 to 1455 that the law was unable to stem the torrent of murders, robberies and devastations that resulted. The Earl of Devon alone was said to be followed by 800 horsemen and 4,000 foot" (quoted in Bennett's *The Pastons and their England*, p. 191).

[2] *Adam of Usk* ed. Thompson pp. 72-3. I owe this note to the kindness of Professor J. E. Lloyd of University College, Bangor.

but it did not prevent his making constant war upon the English.[1]

To satisfy the demand of the Anglo-Irish for a Prince of the Blood, the King's second son, Thomas of Lancaster, was made King's Lieutenant in July 1401, and held this office nominally till 1413.

A mere boy of fourteen, the Prince arrived in Ireland on November 13, 1401. His chief support was in the gallant burghers of Dublin, who under Mayor Drake and carrying the time-worn black flag of their city, marched out against O'Byrne and slew near five hundred of his men near Bray.[2] But the mere advent of the "King's son" alone reminded some of the Irish chiefs of 1395, and in December 1401 Maurice O'Conor Faly, Donal O'Byrne, and two Ulster chiefs, Eoghan O'Reilly and Eochy MacMahon, submitted on very honorable terms. Thus after MacMahon had by indenture bound himself to be in future the King's faithful liegeman against all his enemies and rebels, Lancaster granted to him the land and lordship of Farney in South Monaghan, the castle of Louth alone excepted, for life at rent of ten pounds per annum. Thus the whole lordship of the Pipards went to an Irish chief by English law, and the South Ulster frontier was abandoned.[3] On November 8, 1403, Lancaster left Ireland and his Deputy, Sir Stephen Lescrop, and James fourth Earl of Ormond, who succeeded his father in 1405, ruled the English colony. Along with the Earl's brother Thomas le Bottiler, Prior. of Kilmainham, called "*bacach*" or "lame," they won a

[1] See *F. M. Ann. Ult* and *Loch Cé* and Dowling's annals. The latter, though poor enough, are helpful, especially for Leinster, as Dowling, Chancellor of Leighlin, who was born in 1544, was of Gaelic Leinster blood. Henry's re-grant of Norragh is given in *Rot. Canc.* Hib. p. 156.

[2] Marlburrough's *Chronicle* (*Ancient Irish Histories* 1809). Henceforth Lieutenants, paid in part from the English Exchequer generally supersede the older Justiciars paid at the inadequate sum of £500 p. a. In 1425 the fee of Lord Talbot was fixed at £1,000, the old one being inadequate (Harris *Coll*: *IV.* pp. 288-90).

[3] *Rot. Canc. Hib.* p. 165. Finally in May, 1425, James Earl of Ormond, King's Lieutenant, granted the whole territory at rent to Bernard MacMahon, captain of his nation, and Rory and Maghnus his brothers, which ended the matter (Shirley's *Farney* pp. 17-19).

smashing victory at Callan on September 14, 1407, when Taig O'Carroll, the Earl's brother-in-law, fell on the Irish side—a hero of the native *literati* and " a man of great accoumpt and fame with the profess ors of poetry and music in of Ireland and Scotland."[1]

Again on August 2, 1408, Prince Thomas returned charged to make war on MacMurchada, to resume the Crown's demesnes, enforce the absentee acts, and bring two families from every parish in England to re-plant Ireland. But it was too late for such a programme. Lancaster's servants having come to blows with those of Kildare when this earl had come to kiss hands, the Prince imprisoned Kildare in Dublin castle and only released him for a fine of three hundred marks. The pride of the " English by blood " was roused, and Lancaster, tiring of his duty, finally departed in June 1409. Made Duke of Clarence in 1412, his fate was to fall at Beaugé in 1421, in one of those wars of France which the princes of England ever preferred above the dull stateman's task of saving their Irish Lordship.

On March 21, 1413, Henry the Fifth ascended the English throne and with him a narrow and aggressive English patriotism measured itself against French, Scots, Welsh and Irish. A premature " constitutionalism " in fact meant the triumph of an oligarchic, anti-Lollard, anti-labour, land-enclosing upper class. To these and to Englishmen generally, the non-English parts of the Three Kingdoms were proper subjects for horror and fear, and it must be allowed that what the English heard and saw of the raids and ravages of Scots, Welsh, and Irish on the hard-pressed Anglo-saxon race almost justifies the sturdy Englishism which was still traditional in Shakespere's day.[2] This England made

[1] *Ann. Clonmacnois.* While the fourth Earl of Ormond, " the White Earl," succeeded in 1405, Gerald fifth Earl of Kildare was succeeded in 1410 by his son John, and he in 1427 by his son Thomas who ruled 1427-77.

[2] Celtic bards, as inciters of the patriotic fighting spirit, were especially obnoxious to the English. In 1403 a statute forbade the bards to follow their vocations in North Wales. This was in the mind of Sir John Stanley who came over as King's Lieutenant in October,

however one gift to Ireland, that of Lancastrian parliamentarianism. The Anglo-Irish secured the full triumphs of the years 1399-1435; and the smaller grew the Pale the greater was the Home Rule it enjoyed. But soon to their surprise the Anglo-Irish found that their neighbours confounded them in a common dislike with the native Irish. The Dublin parliament of 1409-10, held under Thomas le Botiller, Prior of Kilmainham, reflected all the ills and prejudices of the English colony. "The exacting of coign and livery by Lieutenants and others is declared treason. Parliament shall not be adjourned or discontinued without cause shown. Mariners may not convey labourers or servants beyond sea. No Irishman adhering to the enemy may pass beyond sea by colour of going to the schools of Oxford, Cambridge or elsewhere, and no one such shall have letters of denization unless he give security not to adhere to the Irish enemy." To the second of these the King replied "let the form of adjournment be after the manner of England." But England was more interested in the labour problem and how to rid the land of aliens and vagrants than in backing the anti-Irishism of the Irish parliament. In May 1413 the Estates at Westminster enacted that "Irishmen and Irish clerks, beggars, shall depart out of England, save graduates, sergeants and apprentices at law, religious and merchants born in Ireland for quiet and peace within this realm of England and for the increase and filling of the realm of Ireland." This was followed by a similar act in 1416. The Irish parliament had enacted in 1380 that men of Irish nation and enemies of the King should not obtain Church promotion, which the King granted. In 1416 the Parliament of England

1413. The Four Masters say: "he was a man who gave neither mercy nor protection to clerics, laity, or men of science (i.e. the poets), but subjected as many as he could to cold, hardship, and famine. He plundered Niall O'Higgin at Uisneach in Meath." But when Stanley died on June 18, 1414, the poets flattered themselves they had berhymed him to death, for "Niall O'Higgin made satires on him and he only lived five weeks after them." In 1415 Talbot, Lord Furnival, apparently in revenge for this, despoiled many of the poets of Ireland, including the famous O'Daly's, see later.

confirmed this " because men of Irish nation being prelates, abbots or priors bring Irish servants to Parliament and these find out the secrets of the English."

This was complying with a vengeance. Again, in the first year of Henry VI., 1422, the English Parliament declared :—" forasmuch as divers manslaughters and other felonies have been done of late in divers counties of England as Oxford, Bucks, Wilts and Berks, as well by divers persons resorting to the town of Oxford as by others dwelling there under jurisdiction of the University, of whom some are lieges of our lord the king born in Ireland, the others are not lieges at all but enemies to him and his kingdom called " wylde Irishmen," and their malice and misdeeds continue from day to day to the great slander of the said University which is the fountain and mother of our christian faith . . . therefore it is enacted that all people born in Ireland shall depart out of the realm within a month after proclamation, except graduates in the schools, men beneficed in Ireland, men of the law, merchants, religious and burgesses of Ireland, Irishwomen married to Englishmen and Irishmen to English women. Irishmen graduates are not to have hall or hostel of their own but to abide among English scholars under principalty of others. Irish scholars shall only be entered into Oxford or Cambridge by letters under seal of the Lieutenant or Justiciar of Ireland brought to the Chancellor of England, otherwise they shall be treated as rebels." [1]

The results of this exclusion policy were disastrous. Badly did Anglo-Ireland need men trained in law, letters, and the sciences. The project of a Dublin university had failed. The Anglo-French culture of Ireland had run dry, and if it was to be saved must be saved from the mother country. Even for the mere machinery of administration, Anglo-Ireland needed a supply of sons trained in English theory and practice. True, the measures seemed to hit only the ' Irish enemy,' but it is clear that they hit the Anglo-Irish too who even when

[1] See Berry I. p. 560-1, and *Rot. Parl. IV.* pp. 13 and 190.

they spoke their antiquated English were looked on as aliens in England.

These answers from Westminster touched the Anglo-Irish on a very exposed nerve. England had in parliament legislated sweepingly and ungenerously on a matter vitally affecting Ireland. In defiance the English of Ireland asserted their colonial nationhood and became more and more Irish as the century went on.

Henry the victor of Agincourt had little thought for England's only colony. Yet the Lord of Ireland had no small pride in his other realm and on one spectacular occasion the name of the Kingdom of Ireland was proudly uttered among the kings and bishops of Europe. At the Council of Constance in 1415 over which the Emperor Sigismund presided, was debated a point on which the Cardinal of Cambrai had written learnedly but with French bias, namely whether the envoys of France had precedence over those of England "a mere German province," and the English ambassador gained his point thus:—"Europe was from of old divided into four empires or *regna*, that of Rome, that of Constantinople, that of Ireland and that of Spain; but as that of Ireland has been by Adrian's Bull translated to England, it is manifest that the King of England and his kingdom are among the more eminent and ancient kings and kingdoms of Europe, which prerogative the kingdom of France is not said to obtain." [1]

Again a great viceroy was found in John Talbot, Lord Furnival, who landed on November, 1414, as Lord Lieutenant for six years with a yearly salary of 4000 marks paid from the English Exchequer. This "ancient fox and politique captain" as Hall calls him, made later Earl of Shrewsbury, was now thirty-six years of age, and was the born soldier to the end till he fell at Castillon forty years later. Talbot had a clear idea of what Ireland wanted or rather what he meant to do with Ireland, and it was D'Ufford's and D'Arcy's idea of a century

[1] See *Ware's Works concerning Ireland* II. p. 173, and "Ireland and the Making of Britain" by Benedict Fitzpatrick (1922), pp. 190-2.

before—to crush the Irishizing March lords, and to clear the frontiers of the English land. A man of action, he plunged at once into his policy of an Ireland made English again, and carried the royal banner far into Meath, Ossory and Munster, so handling Irish and Normans in these strafing expeditions as that the Annals of Ulster say " from the time of Herod there came not anyone so wicked."[1] But most of his energies went into a long feud with the Anglo-Irish. Talbot was doubly a returned Absentee, his wife Joan Neville being claimant to part of the Verdun lordship of Westmeath, and himself by descent from De Valence a claimant to the Honor of Wexford as against Lord Grey. The Old English could never stomach returned absentees, and the Earl of Ormond headed a Patriot party which asserted against this heavy-handed viceroy the rule of Ireland by the Irish. Talbot being absent from February 1416 to April 1418, the Patriots held a parliament at Trim in 1417 where Cranley, archbishop of Dublin, indicted Furnival for the usual viceregal oppressions and unpaid debts, but the true bond of the Patriots was in a movement to proclaim the Irish parliament internally sovereign. Returning to Ireland, Talbot on June 26, 1418, arrested Kildare, Christopher Preston of Gormanston, and other magnates at Slane for plotting with the Prior of Kilmainham against him. In Preston's possession was found a copy of that *Modus tenendi parliamentum* on which was based Lancastrian constitutionalism, and as Talbot could not refuse to the Anglo-Irish what his royal master accepted for England, he had the great Seal affixed to this document which gave Ireland its replica of Westminster.[2]

But a warrior viceroy, the enemy of great lords, was ever the hero of the lesser folk, and an assembly of some

[1] *F. M.* 1415 : " He plundered Leix, Oriel, and Mic na mBrethnach [the Walshes of Kilkenny], hanged Thomas *Caech* of the Geraldines' blood, and plundered the O'Dalys, poets, of Meath."

[2] The argument of the *Modus* was used by Molyneux for his *Case of Ireland's being bound*, etc. (1698). The *Modus* is given in full in Stubbs' *Select Charters*, its date is not earlier than 1350.

hundred of the obedient English, recking little of the parliament of Trim, wrote to the King in June 1417 praising Talbot for his vigorous action against "English rebels and Irish enemies." "He marched against O'More, MacMahon, O'Reilly, O'Farrell, O'Conor, O'Hanlon who all made peace by indenture. In Ulster he cut a great pass through woods two leagues or more, and O'Neill the Great, O'Neill-boy, Magennis, Maguire, and O'Donnell sent to have peace. Morice Keating, chief of his nation, traitor and rebel, yielded himself and peace was granted him. He repaired Athy bridge and built a tower there against Leix." [1]

Meanwhile Art Kavanagh from his capital at Ferns was leagued with Calvach O'Conor Faly against the English. Of his two sons, Donnchad and Gerald, the latter would seem to have been Art's son by Elizabeth de Veel. But Art was no inveterate foe of the English, and in a deed of July 1417, through his deputy John Doun, abbot of Duiske, he admitted himself to be liege-man and subject of the King, "who thereupon takes Art's son, Gerald Kavanagh, into protection, and grants him safe-conduct to come and go through all Ireland and the King's dominions by land and sea with all his retinue."

Early in 1418 Art died in his own fortress, "the wisest, most generous and charitable province-king of his time," say the Annals of Ulster. To Art must be ascribed the restoration of the MacMurchada kingship of Leinster, and the ruin of the English colony in its earliest conquest. Master as he was of most of Carlow and Wexford, he could well afford to recognise that suzerainty of the English Lord of Ireland to whom he and his peers had submitted in 1395. His son Donnchad however began badly. In May 1419, says Dowling "Donatus More Cavenagh MacMurchardus, chief captain of the Leinster-men, whom they had named King of Leinster, was taken and sent to England, where for seven years he was laid

[1] Ellis *original letters illustrative of English history*, 2nd Series, I. pp. 53-63.

in the Tower, till afterwards he was sent back to Ireland on certain terms." [1]

With this last triumph Talbot departed in July 1419, leaving his brother Richard, Archbishop of Dublin, and Chancellor in 1423, to uphold the "English interest." Richard lived till 1449, and all that time waged a long feud with James fourth Earl of Ormond, who headed the "English of Ireland" till his death in 1452.

Ormond was a gallant knight who had won his spurs in France, and a man of education and refined culture, whose castle-seat at Kilkenny was the centre of a flourishing Anglo-French civilisation. He was a great lover of history, antiquity and heraldry, and left some of his English lands to endow the College of Heralds, so much did he love this science of chivalry. His secretary, John Yonge, dedicated to him his English translation of the *Secretum Secretorum*'—one of the few surviving pieces of mediæval Anglo-Irish literature—which treats of Prudence, justice, fortitude, temperance, chivalry, the King's title to Ireland and other themes.[2]

Even more "Old English" than Ormond—for Yonge calls English the Earl's "modyr tongue"—was that James, sixth Earl of Desmond, a remarkable character, who now appears among the great lords of Ireland, and whose name takes us back to 1400.

Sir John, fourth Earl, son of Gerald the Poet, had been drowned in 1399, and left a son Thomas then four-

[1] The safe conduct for Gerald is given in Harris *Coll.*: IV. p. 206: *de homagio ab Arthuro Makmurgh prestito*, given at Southampton July 9, H. V. *F. M.* say Art died the week after Christmas, 1417, at New Ross—"some assert from poison given him by a woman." The dating of the safe conduct would make the date of Art's death early in 1418, for the mediaeval year began on March 25 instead of our Jan. I. Dowling indeed makes Art, "ferax rebellis cuius potentiæ omnes Lagenienses resistere non potuerunt," surrender to the royal grace in 1420, but as Dowling's dating is defective, this must refer to 1417. Art's wife, Elizabeth, baroness of Norragh, was still alive in 1441, see Rot Canc. Hib. p. 263.

[2] *Nat. Facs.* III. pl. XXXVI. Yonge's translation, made about 1420, is entitled 'privytie of privyties.' See *Secretum Secretorum* ed. Fulton (1920): supposed to have been written for Alexander by Aristotle, it was translated from Arabic into latin by Philip of Tripoli, in the 13th century. Yonge is supposed to be the author also of an English version of Giraldus Cambrensis, see *Nat. Facs.* III. pl. XXXVIII.

teen years old. For over ten years Thomas held the Desmond earldom, and then was expelled under circumstances very difficult to verify. Legend relates that the young Earl fell into unknightly and un-English ways, wrote Irish verse, and married Catherine MacCormac, the beautiful daughter of a common Irish tenant. James therefore, that son of "Gearóid Iarla" who had been fostered among the O'Briens, seized the opportunity very welcome to his ambitious mind, and ousted his nephew from the earldom.

The English records give us nothing of this. In them Thomas is undisputed Earl till 1413, and his rival is only James "de Dessemond." On August 14, 1413, we find Thomas in England about to proceed to Ireland along with Ormond for the defence of the same, with a hundred men-at-arms and four hundred and sixty archers between them. According to the Four Masters, in 1411 Thomas was expelled by his own kinsman, James son of Gearóid. Possibly the forces of 1413 were intended to recover his right as well as succour Ireland, at least the Four Masters put it in their own way under 1414: "the Earl of Desmond came to Ireland with many Saxons to devastate Munster." Evidently James was too strong for him and took the young Earl prisoner, for the letter of the Irish assembly praising Talbot, which we have quoted above, says that Talbot "bore greate labours and costes about the deliverance of the Earle of Dessemond who was falsely and deceitfully taken and detayned in prison by his unkle to the great distruction of all the contry of Mounstre until now that he is delivered by the said leiftenant." [1]

But though set free, Thomas could not recover his ground, and went off to England, then to France where finally he died and was buried at Paris on August 10, 1420, the King of England attending his funeral at the Friars preachers there.[2]

[1] See Ellis *Letters op. cit.*

[2] See for the whole matter *Rot. Canc. Hib.* 186, 204 *et passim*, and Chronicles of Marlburrough, Dowling, Holinshed, Hall. Also Vicary Gibbs ed. of Cokayne's *Complete Peerage*. An Irish poem attributed to Thomas is in Hardiman's *Irish Minstrely* I. p. 365.

As Thomas left no legitimate sons, James quietly took the Earldom which he ruled till 1462. The English Crown had lost all control, and though it gave James no legal patent, had to accept what was in effect a pure usurpation or rather an assertion of tail male which the Anglo-Irish had always fought for, or even an assertion of Tanist-right. Certainly it seems hard to believe that the unfortunate Thomas' Irish sympathies and Irish marriage gave James anything but an excuse, for James was Irish-fostered and probably spoke the Irish language better than any other. But while the Normans thought it no dishonor to marry a princess of the Five Bloods, a plebeian Gaelic marriage was an offence to the proudest of the " Old English " and possibly Catherine MacCormac lost her husband the loyalty of his Englishry and the respect of his Irish, and thus enabled James as tanist or next in blood, to depose a nephew unworthy, according to Irish law, of chieftaincy.

Thus did a whole province go over to the Norman-Irish order, and Ireland entered on a new age. The alliance of the great earls, whether semi-English as Ormond or semi-Irish as Desmond, and of aristocratic Home Rule had begun. Ormond, arriving at Waterford as King's Lieutenant on April 4, 1420, allied himself at once with James, procured him practical recognition from the Crown, and in December 1420 made him " Custos " and justice of the peace in counties Waterford, Cork, Limerick and the Cross of Kerry, and on January 31, 1422, made him Governor of the baronies and lordships of Inchiquin and Imokilly and of the town of Youghal, for life with half the rents and profits of the same. When in 1422 Ormond called on James to aid him against Calvach O'Conor Faly and Meiler Bermingham (MacFheorais) " then designing to make a final conquest of Meath " Desmond came with 5000 horse and foot and was paid out of a State subsidy and further rewarded with the Constable-ship of the castle of Limerick and fifty pounds annual rental out of the city.[1]

[1] Cokayne's *Complete Peerage* ed. Gibbs.

The rule of Ormond as Lieutenant, 1420-23, shook with the commotion of all the feuds, that of the Talbots and the "English interest" against Ormond and the Patriots, and the bitterness of the Anglo-Irish against England. The Parliament of 1421-23 was the arena of these battles. In 1421 the archbishop of Cashel, Richard O'Hedigan, and FitzJohn bishop of Cork were accused by the bishops of Lismore and Cloyne of having Irish hearts. O'Hedigan "made much of the Irish, loved none of the English and gave no benefices to them, and went about to make himself king of Munster." O'Hedigan was in fact an enthusiast for Gaelic studies as we shall see later, and a Gaeliciser too of the Old English of his see. As for the "English interest" they wished to put the anti-Irish statutes of 1380 and 1416 into force. The Talbot party sent over a whole body of charges against Ormond, accusing him of treason, of setting the laws at naught, and favouring the Irish enemy as by allowing Calvach O'Conor to impose black rent, but when Furnival raised these matters in the English Council in 1422 the Duke of Bedford, weary of the 'many dissensions, commotions, lawsuits, scandals and intolerable evils" caused not only by this but by endless other feuds of England's fractious nobles had the proceedings stayed. Then the Patriot party in April 1421 sent a memorandum to the Crown, attacking Lord Talbot for his late monstrous oppressions, and praising Ormond as the model viceroy. But their complaints were many, bitter, and unmanly. "English lieges, born in Ireland of good and gentle families, are no longer received at the English Inns of Courts. Landholders, artificers and labourers are leaving the land in great numbers being laden with charges and wars; the land is destroyed by Irish enemies and English rebels; and if the King himself come not, the land is lost." Finally "as the great chieftains of Irish nation, MacMorogh, O'Breene, O'Conor and others, did become liegemen to Richard the Second and for themselves and their kindred for ever and bound them-

selves thereto by divers instruments, but are now at war and have become open rebels and broken their oaths, may it please the King to seek power from the Pope to proclaim a Crusade against them, for the relief and safety of his said land and with God's help for their perpetual overthrow." [1] This was the most savage note yet raised among the assembled Englishry. But, for all his militant orthodoxy, it is doubtful whether Henry V. would have wished to crusade, as if they had been heathen Prussians or heretic Hussites, the christian race of Ireland. In any case he was a dying man and on August 31, 1422, the hero of Agincourt made way for the infant Henry the Sixth.

For all the charges against him, Ormond, who continued as Lieutenant, made vigorous wars against the Irish. His most famous fight was at the Red Moor of Athy in 1420 when he slew " many of the kin and the terrible army of O'More " and the sun, so said the Anglo-Irish chroniclers, stood still for the space of three hours till the English destroyed the Irish.

Edmund, Earl of March and Ulster, son of the Roger Mortimer slain in 1398, was now a man of thirty, and would have been a very great personage had not his unaspiring nature made him a man without a party, for many thought him a truer heir to the Throne than the infant Henry himself. But in Ireland his name alone bore weight; he was " the Lord of the English of Ireland " and a more royal personage than any man of England could be. In Michaelmas, 1423, Mortimer landed as King's Lieutenant with a maintenance of five thousand marks per annum. No one was so fitted to reconcile all Ireland, and when Roger held the court of his Liberty at Trim, the northern chiefs came in and Eoghan O'Neill of Tyrone, son of Niall Óg, Neachtan, son of Turloch O'Donnell, Brian O'Neill of Clannaboy, MacDonnell of the Glens, and MacQuillan did homage to

[1] Berry I. 563-583. *Rot. Parl.* IV. pp. 198-9.

him as Earl of Ulster.[1] But Edmund died suddenly of plague, on January 19, 1425, and so in the land which had been so fatal to his race was extinguished the all-but-royal name of Mortimer.

The Irish Council at once appointed Lord Furnival Justiciar, he being then in Ireland, and Talbot marched north to complete the submission of the chiefs. According to the Four Masters, "the English of Meath captured [treacherously] Eoghan O'Neill, Mac-I-Neill-buidhe, Neachtan O'Donnell, MacUighilin, and MacDonnell"; this is the common charge; anyway the leading chiefs were brought to Dublin and there or elsewhere entered into indentures of fealty.

Talbot had been made in 1421 Lord of Wexford as against the claims of Lord Grey; to make him an Irish magnate was the straightest way for the Crown to interest this hardy soldier in Ireland. But he now surrendered his temporary office to Ormond who ruled as King's Lieutenant from April 13, 1425, to the end of July 1427, and as such received the final submissions of several of the great chiefs on terms similar to 1395.

At Dundalk on July 23, 1425, Eoghan O'Neill "not impelled by fear or force but freely, spontaneously, and of his own pure will" admitted himself liegeman of the King and tenant, subject and true man of Richard Duke of York, heir of Edmund late Earl of March. O'Neill was confirmed in all the Irish lands "*terrae hibernicales*" —which he then held and these he should hold immediately of the Duke. All lands held by him and his adherents and subjects which they have occupied before the date of the present indenture are confirmed to them.

[1] Eoghan son of Niall Óg O'Neill was not sole chief, for his cousin Donal son of Henry opposed him, but was finally slain in 1432. Neachtan O'Donnell was second son of Turloch *an fhiona* "of the Wine" who died in 1423. Turloch's eldest son Niall was chief till 1439. These submitting chiefs had in 1423 "with all the Gael of Ulster," marched against the English settlements and defeated the English of Meath, Louth and Dundalk under the Deputy of the King of England (? Ormond), but made peace and left Dundalk and all the Foreigners under tribute. So the Annals of Ulster say.

O'Neill pledges himself to surrender the rest of the Duke's lands and those of the Englishry, and to render to Richard when he shall come of age the "bonnachts" which his ancestors owed to the Earl of Ulster, to ride with him against all enemies, to forswear the Blackrent levied on the English, and to restrain his people from injuring the King's lieges [1]

Brian MacMahon chief of Monaghan and his two brothers, Dermot O'Toole, Donogh O'Byrne, and Calvach O'Conor Faly made similar terms. Calvach O'Conor, who was the deadliest enemy of the Pale, for he could strike both at the Barrow and at Meath, at Dundalk on July 23, the same day as O'Neill, renewed terms made by him at Trim on March 27 with Talbot. He restored "all English lands and the tribute called blackrent [on Meath] excepting certain lands which he, Calvach, claims by feoffment of various persons but if these are found invalid he binds him self to restore them. He promises a thousand marks for peace, gives hostages and may come to the presence of the Justiciar at pleasure."

O'Byrne swore to protect the loyal English of the Lordship of Wexford (Talbot's new lordship), and recognised the right of the Archbishop of Dublin, Talbot's brother, to have jurisdiction and collect his rents among O'Byrne's subjects. MacMahon, on submitting, had the barony of Farney confirmed to him.

The indentures are so clearly an admission of liege homage on the part of these great chiefs that and recognition of them in return as legal tenants for their native lands with a right of appeal to the Viceroy that the terse remark of Sir John Davies on the matter, and the

[1] O'Neill's submission is printed in vol. i.-v. of the *Irish Record Commission* 1810-15, p. 54. Eoghan's submission was a way of dishing his rival Donal. Certainly it was a great triumph for him and his "urrighs," for not only were they confirmed in such lands as Tyrone and Derry, which had never been conquered, but the lands of the Earldom occupied since 1333 were surrendered to him and them. Richard Duke of York, born 1411, was son of Richard Duke of Cambridge and of Ann, sister of Edmund Mortimer who died in 1425.

Four Masters' view that the whole thing was a forced submission and one of ill-faith, seem equally unfounded.[1]

Meanwhile the Talbot-Ormond feud smouldered, and the wounded pride of "the English of Ireland" found food in the conduct of the English parliament. The statutes excluding the Irish from Oxford, which hit all Irishborn without much distinction, were reinforced by an act of 1423 making it necessary for all Irishmen dwelling in England to carry as in the Act of 1422 letters testimonial which must be presented to the Chancellors of those Universities, Justices of the Peace, and mayors and bailiffs of towns.

Thus were the subjects of the Lordship of Ireland treated as aliens, and with a special emphasis, for similar disabilities against Scots and Welsh did not stand.[2] It was a far other spirit than that which by giving the people of Wales a hall of their own at Oxford helped to win over another Celtic race then in arms against the Saxon.

The Gaelic Irish had their own traditional world of learning and law; and it was the Anglo-Irish who suffered. Flung back into ignorance, with no centre of education at home and debarred from, or unwelcome in, those of their mother land, their alternative was to embrace native arts and letters. England's cry of "down with all foreigners," when applied to men who owned liege homage to the English King, was naturally answered by the cry of "Ireland for the Irish-born" and an emphasis on the distinctness of the King's Lordship of Ireland from his Realm of England.

When Ormond retired from office at the end of July 1427, Sir John de Grey, Sir John Sutton, and Richard archbishop of Dublin successively ruled the colony till 1431. The bold front of the Leinster Irish and the perils of the

[1] For the submissions see *Rot. Canc. Hib.* pp. 238-9 and 245. Davies says of Talbot—"he had power to make the Irish seek the King's peace, but not to reduce them to the obedience of subjects." *F. M.* and *Ann. Ult.* under 1425. *F. M.* say that Eoghan had to be ransomed in 1425 and that in 1426 Neachtan was ransomed by his brother Donal.

[2] *Rot. Parl.* IV. p. 254. *Lib. Mun.* I. Pt. IV. p. 44: Scots and Welsh scholars were petitioned against, but the King's answer was: let the statutes *formerly made against Irish scholars* be observed.

colony at this time are portrayed in a letter addressed by Swayne, archbishop of Armagh, to the English government protesting because Grey had come with so few troops. Grey had brought back to Ireland the prisoner Donnchad MacMurchada, son of Art Óg, and released him, but Donnchad was in arms the next year and, says Swayne, " the kyngys enmys of the south partis, seeing that he (Grey) had fewe men with hym, all of oon consent they went to were and Makmorth was their captaine, and he haide with hyme as men seyde eight battayls of fotmen arrayede of the gyse of this countre, that is owery man acton, habirchon, pischane and basnete, and in every battayle they commonly have men two hundred ; and this Makmorth with his men came into the Englishe countre to a towne callede Connall, and there they brent the ouses of offyse of the abbey but the grete churche of the same and the cloyster, and brent that day many other townes "—after which, he continues, MacMurchada raided Kildare, forced Wexford county to pay him two hundred and forty marks ransom, took Tristeldermot, a walled town, and captured its lord Sir Thomas Wogan, till at last the King's Lieutenant had to pay MacMurchada the eighty marks yearly his father had. Another graphic despatch of the same archbishop at this time to Ormond states :—" in good faith the englisch grounde that ys obeying to the kyngis laue in this lande I suppos is not so moche of quantite as on schir in Englonde." Because the purveyers of chief governors exact " horsmete and manmete," and pay in tallies rarely honored, " there is owing in this lande by lieutenants within these past fewe years £20,000 and more. And the housbonde pepill for the mischefe and governance aforesaide be gone out of the londe within fewe yeris into Englonde and oder countreys so that in good faith as I suppos there is mo[re] gone out of the londe of the Kynges lege pepyll than be in it." [1]

[1] *Reg.* of Archbishop Swayne : transcript in T. C. D. I. pp. 419-421. Acton, habirchon, pischane and basnet are respectively body-armour, sleeveless coat of plate or chain mail, gorget and light helmet.

The parliaments of the time echo the same " tout est perdu " cry. In 1428 it is enacted that laborers and servingmen leaving Ireland without licence shall be arrested. None may sell corn, iron, salt and other victuals to the Irish enemy without leave. In 1430 the old penalties of treason are affirmed against those who practice coign and livery or marriages, fosterage and gossipred with the Irish enemy. It is forbidden to entertain or let land in the marches to " Irish rymers and others, outlaws and felons, who come with their creaghts (*keryaghtes*) into the land of peace called the Maghery." In 1431 it is forbidden to merchants and other lieges to frequent Irish fairs and markets and buy or sell there divers merchandises " whereout the enemy take great customs and benefits to the depression of our boroughs and trading towns." [1]

In 1428 parliament complains to the King that clerks, merchants and other honest men of Ireland, going to Chester, Coventry, Oxford and London have been robbed and beaten, and men of Ireland hindered from going to inns of court in England.[2]

Touching matters of state, the parliament under archbishop Talbot in 1430 complained that Lieutenants were changed too often : " we beseech the King that while we stand well such change be not made hereafter for fear of losing this land as it hath been of late." Complaints against governors, they add, should be examined by the Parliament or Great Council of Ireland and the result certified under the Great Seal of the same. Against this demand of the Home Rule party that the King's ministers in Ireland should be primarily responsible to the Estates of Ireland, the " English interest " petitioned

[1] See Berry II. pp. 11-43 for these enactments. The " Maghery " now for the first time mentioned was the Plain (" machaire ") of east Leinster, the Pale. The " creaghts " *caoruigheacht* in Irish, were the flocks and herds of migratory Irish.

[2] See *Nat. Facs.* III. pl. XXXIX. Rot Canc. Hib. p. 263 (1442) Thomas Chace, Chancellor of Ireland, sent by the Council to ask that lieges of Ireland may travel to England and stay there to study the aw, brought back a full and effectual answer under the Great Seal of England.

the King never to abandon his power to change viceroys and to examine into their conduct: as for Parliament doing this, the truth would never be discovered, "for the nobles and great men fill parliament with their nominees who little regard the weal of the King or his subjects."

A further complaint of parliament in 1430 that "nearly all the loyal counties are Irish or rebellious" was emphasised by a royal hosting of Eoghan O'Neill of Tyrone who hurried and burnt the plain of Louth, put Dundalk under blackrent, in spite of his oath of 1425, descended into Annaly where O'Farrell submitted, then into Meath and at Fremainn gave "stipends to the Gaels of the South of Meath, viz., Calvach O'Conor, O'Molloy, O'Madden, Macgeoghegan and O'Melachlin," who thus became his men. Moreover "there came the Baron of Delvin, the Plunkets, the Herberts and the English of the west of Meath in general to meet that Eoghan to submit to, and honor him, in respect of their own lands."

That De Lacy's barons should in a body thus acknowledge an Irish king was unprecedented. But on this richest plain of Ireland were many walled towns and castles and numerous colonies of the Englishry, and so, for all their hostings and blackrents, the Irish chiefs never subdued a country of which the control would have carried them up to the gates of Dublin.

In 1432, his rival Donal O'Neill having been slain by the O'Cahans, Eoghan was made king of Ulster on the "flagstone of the kings at Tulach-oc by the will of God and men, bishops and sages." In September 1434, along with Niall O'Donnell of Tyrconnell, he descended to levy the blackrent on Dundalk, but the King's Lieutenant, Sir Thomas Stanley, engaged them on Michaelmas day, and Niall O'Donnell was taken and spent the rest of his days in captivity in Dublin, London, and Stanley's kingdom of Man.

Stanley was King's Lieutenant from 1431 to 1437 and during his absence from autumn 1435 to November 1436,

the Irish Council reported thus to Westminster :—" In the nether parts of Meath, Dublin, Kildare and Louth, there is scarcely left out of the subjection of enemies and rebels thirty miles in length and twenty in breadth as a man may safely ride or go to answer to the King's writs. The county Carlow was within these thirty years one of the keys of the land between Dublin and the outer parts ; it is now inhabited with enemies and rebels ; of 140 castles defensible therein only two now are left (in loyal hands) namely Carlow and Tillagh. Counties Kilkenny, Wexford, Waterford, Cork, Limerick, Tipperary and Kerry are destroyed, and the lieges dwelling there are too few to victual the cities of Waterford, Cork, Limerick and the walled towns of those counties. So with the provinces of Armagh and Tuam—all are lost save for Galway, Athenry, and the castles of Carrickfergus and Ardglas. For thirty years no Lieutenant or other governor has gone thither save for a sudden hosting. We pray that the Lieutenant may receive homages in Ireland. Our seas are scourged by Spaniards, Bretons, and Scots. The Admiral of England should visit our coasts. Ireland should be under the same peace and truce with England by special word. Let the Lord Lieutenant that now is come with sufficience of goods and men, or else some other great man of the King's blood." [1] But the bankrupt England over which the young Henry was king, engaged in a losing war with France, had no men or money to spare for Ireland. While Lionel, Lord Welles was Lieutenant (1438-42) a fresh attempt was made to overthrow Ormond, who was Welle's Deputy during absence in the autumn of 1441. Parliament meeting on Martinmas that year, Archbishop Talbot, who was Chief Justice, and the Chancellor Wogan induced the Estates to transmit certain charges against the Earl of the King by Giles Thornton, Treasurer of Ireland, and other envoys. The tenor of these was :—" The earl is old and unwieldly and not able even to defend his own lands. He has made Irish grooms and pages

[1] Gilbert's *Viceroys* p. 330-3.

knights of the shire so that they might support him in parliament, and allowed spiritual and temporal lords to absent themselves from parliament. Among other ill deeds he handed the Prior of Conall over to O'Dwyer, an Irish enemy, for ransom purposes. He has never been absolved from charges of treason brought against him by the Earl of March and Lord Talbot. The discords between him and Lord Talbot and his brother are so great that no suit touching the other can have due process in Ireland. The substance of the gentles and commons of Ireland, at Lord Welles' departure, desired that the Earl should in no wise be his deputy; please the King therefore to discharge him, and to send a lord of the birth of your noble realm of England whom your people in Ireland will obey, for men of England keep better justice in Ireland and execute your laws and favour more your common people and have ever done so more than ever did any man of Ireland or is ever like to do." But Ormond was appointed Lieutenant in place of Welles in February 1442, and the charges, returned under Privy Seal, were tried before the Irish Council, according to the demand of 1429, at Trim on June 5, 1442.[1]

The Home Rule aristocracy was too strong for Talbot's Unionist faction. The Council, nearly all Old English, repudiated the charges and denied that the Martinmas parliament ever desired them to be drawn up. Wogan, having fled to Wales, wrote thence to the King pleading that the charges were truly drawn up and that the acts at Trim clearing Ormond were enrolled by the Clerk of the Rolls " for drede of his life of the seide erle " and pleaded ignorance, because of " his newe comyng into yower seide lande of Ireland " of the custom by which in the Irish parliament one man could appear as proxy for two lords spiritual or for two shires or two towns. Wogan was deprived of the Great Seal and Ormond bestowed it on

[1] *King's Council in Ireland* (R.S.) appendix p. 304 and Carew *Miscell.* pp. 391-4. As the envoys of the Talbot party addressed the demand for " a lord of the birth, etc.," from England, the text says " for men of this land (i.e., England) keep, etc.," and speak of Ireland as " that land."

Sir Richard FitzEustace. Although summoned to London, the Earl returned in triumph and acted as Lieutenant till November 1444. In August 1445, he procured for his ally, James Earl of Desmond, royal licence " to appear in parliaments and Great Councils by proxy, whenever he cannot attend in person, and to acquire lands and rents held in chief of the King by any tenure whatsoever—the King having learned of his great labours in preserving and keeping the King's title in the counties of Waterford, Cork, Limerick and Kerry from the King's Irish enemies and rebels." [1]

In 1444 the King sent an Usher of the Royal Chamber to summon Ormond before the English Council, whereupon the Earl assembled a Great Council at Drogheda where his conduct was eulogised by Sir James Aleyn, elected speaker of the Commons, by the bishop of Cork and his clergy and by Lords Barry, Roche and other vassals of Desmond. The game old earl then crossed to London to fight his chief accuser, Thomas Fitzgerald Prior of Kilmainham, but the King, wearied to death with noble feuds, stopped the combat.

Although the Talbot party was now re-instated with the archbishop as Justiciar, and Lord Furnival, made Earl of Shrewsbury in 1442, ruled again as Lieutenant for part of 1446 and 1447, the First Families henceforth ruled Ireland, made the parliament their court of registration, divided offices of State among them, called officials to account in the Estates, and took into their hands all the high prerogatives of the Absentee monarchy.[2]

[1] *Cal. Pat. Rolls Eng.* (1441-6), p. 358.

[2] See the oath taken in 1462 by Roland FitzEustace, Lord of Portlester, as Deputy to George of Clarence, King's Lieutenant :—" I will guard for God and the people of Ireland the laws, liberties and rightful customs which the ancient kings of England, progenitors and predecessors of Edward the Fourth now king, granted to God and to the people of England and of the land of Ireland, and I will observe peace and concord to God, the Church, the clergy and the people as fully and wholly as I can, according to my power. And I will make to be done in all my judgments right and due justice and will hold and keep the right laws and customs which the people of the land of Ireland have chosen to be held to themselves as I ought to defend and maintain the same." (*Rot. Canc. Hib.* p. 269).

From this time the old opposition of the common Englishry to the " great chieftains of lineage " disappears, and the mass of the Anglo-Irish accepted, or dare not oppose, the leadership of the great Earls who, with an aristocracy behind them in which the Gaelic chiefs played no small part, built up a rampart of native rule which till 1534 no English government was able to break. This race which, says Davies, " did ever, both English and Irish, desire to be governed by great persons " found them, not in English viceroys, but in Butlers, Geraldines and Burkes. The very longevity of the great magnates at this time alone made them formidable. James " the White Earl " of Ormond lasted from 1405 to 1452 ; James earl of Desmond from about 1412 to 1462 ; Thomas seventh earl of Kildare from 1427 to 1477 ; Aedh Rua O'Donnell from 1461 to 1505.

The parliament of this Home Rule oligarchy was a very restricted representation, both in area and deputies. The Great Council was a favorite substitute for a true parliament, and to a " Magnum concilium " in June 1444 at Drogheda Ormond summoned " by prive seale as the custume of the land is " the archbishops of Armagh and Dublin, the bishops of Kildare and Meath, twenty seven abbots and priors, four archdeacons and one dean, the five barons of Slane, Delvin, Galtrim, Navan and another Meath barony (illegible in the roll), the sovereigns of Kells and the provosts of Athboy, Navan, Trim and Naas, ninety-seven knights and gentry from counties Dublin, Kildare, Louth, and the Cross and Liberty of Meath, and the mayors and bailiffs of Dublin and Drogheda.[1] The total was some hundred and twenty-five, apart from the Council, but we do not know if all attended, and Wogan's statement in 1442 would indicate that half this number might be proxies for the rest. The electing areas had shrunk to the four Leinster shires, though Cork county was represented in 1464, and the Irish Parliament in which the superior churchmen were over-represented and the towns certainly under-re

[1] *King's Council op. cit.* p. 305-8.

presented, resembled rather a large County court than a national assembly. Yet in law no Parliament was regarded as complete, even in the lowest ebb of the Pale, unless all the English land was summoned and the Parliament of Drogheda in 1495 declared void the proceedings of a parliament of 1494 under Lord Preston because only the four shires were summoned.

The Crown demesnes of the Lordship of Ireland, generally let to farm, in the Vale of Liffey, now only yielded some £120 yearly. The shrinkage of feudal dues, the firms of cities, and customs was continuous. In 1441 Thornton had told the King—" the king hath no custom of any manner of merchandise in Ireland save only hides, wool and fells " and " the charges of the Justiciar of Ireland and his officers this year exceed the revenues by £1,456." About 1442 the total revenue for four years came to £5,380 or some £1,340 per annum. and in 1420 Ormond with difficulty procured from parliament a subsidy of a thousand marks. Later, in 1480, Edward IV. directed the Deputy Kildare not to demand more than 1200 marks as a subsidy in any one year " as hath been accustomed." [1]

In extent and power the lands of the Marcher lords and palatine earls grew as fast as the " obedient shires " decayed. Thus under James of Desmond most of Munster formed what was in effect a small kingdom. None of the Old English had so completely subjected English and Irish, vassals, towns and tenants under one seignory. In the southwest the MacCarthys, O'Sullivans and other Irish lords owed military service and headrents to the Earl.[2] Norman and Gael came in by indenture and commendation. Thus in 1421 an indenture between the earl and Patrick FitzMorys " captain of his nation " and Knight of Kerry, made at Castleisland, binds Patrick, his heirs, and his people to answer the earl at all his assizes for all assessments, burdens and levies whatsoever

Carew Miscell : p. 393-4.

[2] See Butler *Lordship of MacCarthy Mór* : *R.S.A.I.* 1906-7. Carew Miscell : vol. I. p. 416 : Carbery was held by MacCarthy Reagh of the Earl for 67 beefs yearly.

as all other tenants and subjects of the earl in Kerry are bound, namely upon a cantred and a half, unless he has more. If any contention arise between the two parties or between Patrick and the sons of Gerald MacMorys or the sons of Richard MacMorys, the earl shall decide, and if the said Patrick shall not pay the said burdens then he binds himself and his lands in the sum of £300. The earl promises him protection and security; he shall not be taken or attached coming to assizes; all offices of his, accustomed from of old, are confirmed to him. The earl guarantees him his "slanyaght." The witnesses are all Anglo-Irish, but the whole transaction and its wording imply how far in independence and Celtic custom the earl and the once feudal Englishry had gone.[1]

Others of the Barrys, Roches, Barrets are found transferring to the earl their lands or the liege homage which they owed only to the Lord of Ireland. Thus in 1421 Robert, son of Geoffrey Cogan, "captain of his nation" granted to Earl James all his possessions in county Cork, viz.: fifteen manors in the barony of Ciarraighe Cuirce, including Shandon, and the manor of Cogan in Glamorgan, with advowsons, services of free tenants, etc.[2] As Cogan's land included the castle of Carrigaline which commanded Cork harbour, the earl had most of the ports of Munster at his disposal, Limerick, Tralee, Youghal, Dingle and Cork, Master of counties Limerick, Kerry and Cork, the west half of Waterford. Decies, was his also. Dowling, writing in the next century, significantly if incorrectly calls him "*Comes Momonie*" and the native annalist says of him:— "he enlarged the earldom and made conquests on many lands, such as Ciarraidhe Cuirce, the baronies of Aine,

[1] Harris *Coll*: IV. p. 217. "Slanyaght" is Irish "slánuigheacht" and equates with Anglo-saxon "mund" i.e. personal protection and guarantee. See also Vicary Gibbs' *Complete Peerage*, under *Desmond*.

[2] *Carew Miscell*: p. 362: inspeximus of Cogan grant at Cork by the Official general of Court of spiritual causes of diocese of Limerick (June, 1421). Caulfield (*Cork Arch. Soc.* 1867-8), asserts that in 1438 Desmond got Carrigaline from Myles the Great Cogan who died without male heir, leaving however one or two nephews.

Ui-mac-Aille and Airinidhe."[1] James was a great builder and restorer of castles which were noble residences as well as fortresses, such as Askeaton, Imokilly and Newcastle Connello with its noble hall called by the people, as long as Irish was spoken, the "Halla Mór." Their splendid ruins with those of many an abbey attest that a true civilisation flourished in Desmond under this great earl.

The careful compilation of rentals and terriers had already begun among the First Families, and Earl James had drawn up about 1452 a Rental of Connello, the cradle of his race. But for the whole complex of Desmond rights and revenues, we must go to the Inquisitions of *circa* 1583 when by one stroke of the pen half a million Irish acres was confiscated to the Crown.[2] Many of the Irish exactions for which his son later suffered death were obviously imposed by James. The Elizabethan Inquisitions record that everywhere the Earl slain in 1583 had had on his Irish and some times his English tenants "shragh, marte, sowth, repaste, gillycon, kernety, sorrowen, koonebeg, coyne and livery." From the Burkes of Clanwilliam the Earl could summon 100 galloglass and 40 horsemen. The free English had to maintain the Earl's fortresses by duty of "musteroon." From Irish "twoghes" ("tuatha") came tributes of kine. Here tenants pay money rents; there the earl has out of certain forests "howsebote, firebote, hedgebote and timberbote"; and the "rising out of the sixteen twoghes of the patria of Connello" is due to him. The "royal service" of Connello is worth £22. The burghal organisation survived till 1583 when the Inquisitions record that the earl had dues from shops in Rathkeale, and a sergeant of his was wont in the Court baron to punish frays and bloodshed and pay the fines to the earl.

[1] *Senchus Geraltach* (*R. Hist. and Arch. Soc., Ireland*: 1882). Ciarraidhe Cuirce is a barony lying on the West side of Cork harbour.

[2] *Rental of Connello* is given in Begley's *Diocese of Lim.* pp. 323-33. Since writing the above, the Desmond Inquisitions preserved in the Public Record Office, Dublin, have perished, unless some extraordinary chance has preserved them, with all our National records, in the tragical ruin of the Four Courts.

The Liberty court of Kerry at Tralee and the Honor Court of Any in Limerick provided the earl with a substantial income and guaranteed justice in two shires of Munster. The estimated money rental was, however, small (£7000 odd) in 1583, which implies that however oppressive the "Irish impositions" were the tenants of this wide demesne were at least not rackrented.[1]

Such was the state of this usurping Geraldine, the first of the Old English to display fearlessly a power derived from feudal grants, Brehon custom and usurpations on Crown rights, to rule most of a whole province as palatine earl, to reign over an Irish population like a Gaelic "Rí" and yet in Dublin to be of the Council and among the peers of the Anglo-Irish State.

Like his descendant, the "Fair Geraldine" whom Surrey sang, "fostered he was with milk of Irish breast," a hero and a patron of the Celts. To his foster-brother Brian, son of Conor O'Brien he made over the wardenship of Carrigogunnell, and enfeoffed him in an area of county Limerick afterwards called "Pobal Bhriain," now the barony of Pubblebrien, with Carrigogunnell as its capital. About 1420 Earl James brought in MacSheehy to be his captain of galloglaigh; and his household poet or "dàn maker" was an O'Daly, of a famous hereditary bardic family.[2] Married to a daughter of Clanrickard, a stock already more than half Gaelic, he had the Burke alliance as well as the O'Briens. On the other hand, the Earl of Kildare was his son-in-law nor could any open fault, after his usurpation, be found in James, for in person or proxy he attended

[1] Carew Miscell: p. 394. Holinshed says: "James Earl of Desmond being suffered and not controlled, during the government of Richard Duke of York his godsib and of Thomas Earl of Kildare his kinsman, did put upon the King's subjects within the counties of Cork, Kerry, Limerick and Waterford the Irish impositions of quinio [coign] and liverie, cartings, carriages, lodgings, cosherings, bonnaght and such like, which customs are the very breeders, maintainers and upholders of all Irish enormities."

[2] MacFirbis *annals* sub. 1450. *F. M.* 1502: death of Donnchad O'Brien, lord of the country from Adare to Limerick, and from Bailenua to Mainistir-an-enaigh, also lord of Aherlow. The former district represents Pobal Bhriain or lordship of Carrigogunnell, and Donnchad was grandson of Conor O'Brien, the Earl's foster father.

parliament, preserved Munster for the Englishry, and went no further in his nationalism than to support Ormond and the Home Rule party.

The fame of the Geraldines now circulated in the Italian cities and especially in Florence from which, according to tradition, Otho of Windsor, the first of the race, had come. In 1413 an Irish bishop and a priest, Maurice Fitzgerald of Ardfert diocese, had visited the Gherardini of Florence reminding them of a distant kinship. And now Earl James, lord of the noblest harbours of Munster, was all the more worth courting. In 1440 Leonard Bruni, Secretary of State to the Signory of Florence, wrote to the Earl in the name of the Republic. "If it is true that your progenitors were of Florentine stock and of the right noble and ancient stock of the Gherardini, one of the greatest families in our State, we have ample reason to rejoice and congratulate ourselves that our people have acquired possessions in Apulia, Greece and Hungary, but also that our Florentines, through you, bear sway even in Hibernia, the most remote island in the world. We therefore send to you Giovanni Betti di Gherardini, a noble youth, whom his father wishes should become better acquainted with you and his kinsmen of your stock."[1] We hear no more of Giovanni, but the connection with Florence became for the FitzGeralds a family legend refreshed from time to time by letters of Desmond or Kildare to the Signory, while Florentine traders gladly availed themselves of the trade with Munster where Desmond was real king. From November 1446 and for part of 1447 Talbot, now Earl of Shrewsbury, was Lieutenant again, and in 1447 was created Earl of Waterford and Baron of Dungarvan with regalian rights over the whole coast from Youghal to Waterford city, this being ancient Crown demesne. But the Desmond earl and the Poers and hibernicised Old English saw to it that this "new Englishman" got little profit therefrom. Against such "degenerate

[1] For Italian trade with Ireland in these centuries see Westropp *Early Maps of Ireland* P.R.I.A., 1912-13.

English " Talbot had fought for thirty years, and at a parliament under him at Trim in January 1447 it was enacted that all who would be taken for English must abandon the Irish " crombeul " or moustache, and shave both lips " for there is no diversity of habit between English marchers and Irish enemies." Shrewsbury retired in 1447, leaving his brother Richard as Deputy, and saw Ireland no more. A headlong fighter of Edward III's school, Talbot could scatter Irish armies and bring rebels to heel but he had not the constructive genius which his office needed. Nevertheless he is interesting as the last of the old viceroys till Henry VIII.'s time—when the Skeffingtons and Greys had more resources and better fortune—who strove by warring down the great lords, English and Irish, to keep England's colony in Ireland true to the English tradition. Great as the Irish lords now were, they were all overshadowed by that Prince who in person or by proxy ruled Ireland for thirteen years. Richard, Duke of York, was in 1447 a man of some thirty-seven years of age. As heir to his uncle Mortimer, he was Earl of March and Ulster and Lord of Trim and Connacht. The Irish Celts saw in him the true heir of Lacy and De Burgo, names that now sounded Irish. As for the " English of Ireland " here was one before whom all could bow, that Prince of the King's Blood whom they had often asked for, indeed one who a large part of England thought had a better right to the Throne than the feeble Henry himself. Richard, appointed King's Lieutenant in December 1447 for a term of ten years, with all the Irish revenues and four thousand marks out of England for one year and two thousand pounds yearly afterwards, did not actually arrive till July 1449. When he came into what the Lancastrians hoped was an honorable exile for the most dangerous man in England, he saw in Ireland a jumping off ground for his party. Hence the facile charm with which he won Irish hearts to the White Rose of York, hence the indifference with which he abandoned Ireland to its Home Rule earls.

CHAPTER XIII

ARISTOCRATIC HOME RULE, 1449-77

SAVE for the few "obedient shires" Ireland had now lapsed into the aristocratic rule of three centuries before. Having fought the race-quarrel to a standstill, bred in mutual toleration by marriage, fosterage, and the acceptance of Irish speech and custom, the Old English and Gaelic lords were now united in a common self-interest to dominate each his own country and all to dominate Ireland. The recovery of the Gaelic chiefs was especially marked. Their indentures with King Richard and with Lancastrian viceroys had made them vassals of the State and ratified to them not only their ancestral demesnes but even the lands recovered from the colonists. While they admitted the pre-eminence of Butler, Burke, and Geraldine, they had attained full equality with the lesser baronage of the Englishry. Thus, to take the MacMurchadas, Donnchad son of Art Óg had been in 1428 confirmed in the eighty marks yearly paid to his father, and in 1440 was, in consideration of reforming himself and other Irish of Leinster, taken into grace by the Lieutenant, Lord Welles, and paid a fee of forty marks. His brother Gerald, lord of Ferns, died in 1431, and Donnchad was succeeded by Gerald's son, Donal Reagh (*Riabhach*) or "the swarthy," who reigned till 1476. The Kavanaghs became linked by marriage to the noblest of the Gael and Gall. Gormley "daughter of MacMurchada, king of Leinster" was stepsister of the White Earl of Ormond and married Henry, son of Eoghan O'Neill. Later, about 1460, Saiv, daughter of Donal Reagh, married Sir James Butler, son of Edmund MacRichard Butler. The revived MacMurchada power reached its height under Donal

Reagh, who dwelt at Enniscorthy castle, once the seat of the Prendergasts. His style was that of a king—"*MacMurchada rex Lagenie*," and even as late as 1522 Gerald Kavanagh MacMurchada called himself "king of Leinster and leader of the Leinstermen."[1]

The wide extent of the Kavanagh lands and their "urrighs" in Wexford and Carlow in the sixteenth century made their chief one of the great captains of Ireland. About 1550 MacMurchada from his name and nation alone could raise two hundred horse, eighty galloglass, and three hundred kern.[2] Donal founded a Franciscan House at Enniscorthy and in 1475 granted to the Cistercian abbey of Duiske or Graig eightpence *per annum* from each plowland tilled of all his lands, binding to continue the same his heirs descending in the lordship in male descent.

The history of this famous abbey alone testifies how the Irish resurgence had covered the land. Dedicated to St. Saviour it had been founded in 1204 by the elder William Marshal and retained till the close of the fourteenth century that English character which an early grantee, Adam fitz Sinnott, a Fleming, meant it to have when in 1204 he made certain lands over to it on condition that he and his heirs might for ever appoint a monk to the abbey who should be English (*de lingua anglica*). Then with the fifteenth century the abbey and its daughters go over to the Irish tongue. In 1424 Henry O'Ryan lord of Idrone confirms to the daughter house at Killenny, which had been absorbed by Duiske, a grant of lands made by his ancestor Dermot, lord of Idrone, about 1164 and confirmed by King Dermot. In 1417 John Dound, abbot of Duiske, had been Art MacMurchada's deputy in his act of submission to Henry V. Now in 1475 Dermot MacMurchada's descendant,

[1] *Rot Canc. Hib.* pp. 246, 261. *F. M.* 1452 for Gormley, and Dowling 1522. Apparently the third Earl of Ormond's widow married a Kavanagh, either Donnchad or Gerald, sons of Art Óg, and had Gormley by him.

[2] Hogan *Description of Ireland* (an *MS.* of Elizabeth's reign), p. 54.

Donal Reagh, signing himself "*Dominus totius Lagenie*" makes a princely grant to Duiske, sealing it with "*sigillum Donall MeicMurachada regis Lagenie*" and the nine witnesses named, of whom two are his sons Cathal and Gerald, are pure Irish.[1]

In the revival of Irish lordships the O'Neills of Tyrone, the hereditary royal blood of Ireland as most Irishmen thought them, climbed highest. Eoghan O'Neill, having been enkinged at Tullahoge on the "Flagstone of the Kings" in 1432, spent a vigorous reign warring on the English of Louth and Meath on one hand and the O'Donnells on the other, and finally, when in 1439 Nechtan O'Donnell succeeded in Tyrconnell to his brother Niall who had died in captivity in the Isle of Man, Eoghan scored a triumph over the new chief by aid of English forces enlisted by Eoghan's son Henry. Nechtan came to them at Castlefinn "and made peace with O'Neill and surrendered the castle and all Cenel Moen and the tribute of Inis-Eoghain to O'Neill" (1442).

In July 1455 Henry took the place of his father, now old and incapable, and was made king at Tullahoge by O'Cahan, Maguire, MacMahon, all the O'Neill clans and "the Successor of Patrick," viz., John Mey, archbishop of Armagh. This enkinging by ancient Irish law was followed by institution and confirmation at the hands of the Archbishop in his hall of residence at the abbey of SS. Peter and Paul at Armagh on August 4, 1455, recorded thus in Mey's Register: "Eugenius O'Neill captain of his nation having lately resigned because of the failure of his bodily powers—Henry his firstborn, having been elected captain and principal of his nation, came before our Lord the Primate in his hall in the monastery of SS. Peter and Paul, saying and seeking that his election should be confirmed and instituted by the Lord Primate as his temporal lord. The said Primate, believing him to be a good man and likely to be of good to the Church

[1] *Charters of Duiske* ed. Dr. Bernard and Lady Constance Butler P.R.I.A. (1918), pp. 5, 16, 139, 149.

and people of Ulster (Ultonia), held, approved, and confirmed him as O'Neill and captain and principal of his nation before all then present, cleric and lay, in great multitude." Such a blending of ancient Celtic law and Christian benediction had not been done with an O'Neill for centuries, and it evidently indicates a desire on the part of 15th century O'Neills to establish primogeniture, and to fix a succession more strict and modern than the traditional inauguration and the practice of Tanistry. Later, this year, on November 14, the archbishop confirmed the entente by settling on Henry an annual pension and a gift of russet cloth for himself and his queen, while O'Neill through Arthur McKathmayll " his judge " and others, swore faithful service for himself, his brothers, kinsmen and subjects, to the Primate, his church and clergy.[1] Henry ruled the Cenel Eoghain for the long reign of 1455 to 1489 and achieved great glory. In 1463 King Edward sent him, as greatest of the Ulster Irish who owed traditional allegiance to the Earl of Ulster, a present of scarlet cloth and a collar of gold of the King's livery. Among his many victories and augurations of vassal chiefs we find him giving a stipend to Taig son of Turloch O'Brien, king of Thomond, in the same year as Edward sent him this donative and probably through the prestige thus gained.[2] Finally in 1480 the marriage of his son Conn to Eleanor, daughter of the seventh Earl of Kildare, united in honorable alliance the two greatest names, Norman and Gaelic, in Ireland.

Up to this a succession war had enfeebled Cenel Conaill. Nechtan O'Donnell had ruled Tyrconnell till 1452, when the two sons of Niall Garbh claimed their father's throne, whereupon Eoghan O'Neill interfered and got Rury, son of Nechtan, made king while half Tyrconnell went to the sons of Niall, and Cenel Moen, Castlefinn and the tributes of Inishowen for himself. But in 1461 Aedh defeated his rival Rury, deprived

[1] Mey's *Register* (copy *T.C.D.*, p. 400). *Ibid*, p. 402.
[2] *Ann. Uli.* 1463.

him of a hand and a foot so as to make him incapable to reign, and thus, with a brutality worthy of the Wars of the Roses, began a long reign which ended only in 1505. Like Henry O'Neill, Aedh marked a new type of Irish chief, establishing the succession in his son, communicating freely with the earls of the South, going to the Court of Scotland for alliance, and while still calling himself " King of Tír Conaill " proving himself that modern type of " Irish lord " with whom the Tudors had to deal, a type quite as warlike as their ancestors, and far better equipped for war, but more subtle and tenacious, and boldly claiming their place in the Ireland of their day.

Aedh's achievement was to break the supremacy of the O'Neills over the North and to establish his race as the great name in Tyrconnell, Fermanagh and North Connacht.

Turning to Connacht, we read that in 1464 died Taig O'Conor, son of Turloch the O'Conor Rua, half king of Connacht, and that after him there was no King of Connacht, only the chiefs of O'Conor Don and O'Conor Rua.[1] The Clanrickard Burke was now the true king of Connacht. William or Ulick, the Upper MacWilliam, had become a kind of hereditary Seneschal for the King and the heirs of Mortimer in Connacht, and when Edward IV. united the Earldom with the Crown he was content to leave the Burkes in practical possession. In fact, though not in law, Ulick was the lord of Galway city; he had the profits of the custom or " coket " of Sligo and Galway, and in 1444 was Sheriff of County Connacht.[2] At the battle of Magh-cronn in 1467, where eight score galloglass fell, he affirmed his supremacy over Ricard the Lower MacWilliam with whom he was often at war, O'Conor Donn being his ally, and O'Conor Rua ally of the Mayo Burke. His wife was Slaine, daughter of Conor O'Brien, and he " rested in a good old age " in 1485.

Generally speaking the Irish wars were fought in

[1] *Annals of Connacht* in O'Curry *MS. Materials* p. 115.
[2] See *Blake Family Records* ed. Martin Blake vol. i. 1300-1600, Nos. 32, 38 and 47.

confederacies, and while O'Neill led one Ulster group, O'Donnell led another; in his wars to secure North Connacht, O'Donnell was generally with the Lower MacWilliam against Clanrickard, and Clanrickard was backed by O'Brien.

Conor O'Brien, foster-father of Earl James, ruled till his death in 1426, when three sons of his elder brother Brian followed in succession till 1458, when Taig son of Turloch the youngest of these, succeeded.

We must now glance at the Anglo-Irish towns to envisage their place and peril in the State. The Irish resurgence had wiped out many an old foundation and driven the English castles and boroughs far to the south and east. Carrickfergus, Downpatrick, Ardglas, Carlingford and Dundalk were now the furthest outposts in the North, for the archbishop's town of Armagh was reckoned "inter hibernicos." Then ran inland a line through Ardee to Kells, Trim and Mullingar, continued to towns of the Nore and Barrow.

It was in further Munster that the towns suffered most or disappeared most completely, for example in North Ormond. Save for Kinsale, no borough survived in Cork west of Buttevant and Mallow, and Kerry had but two, Tralee and Dingle. In Connacht, Galway was always a flourishing entrepot for the outlet of native wares and the inlet of foreign goods. It had always been favoured by the Dublin government, anxious not to lose this western outpost, and in 1484 Richard III. finally gave it an ample charter, with the right to a mayor instead of the former sovereign, without whose leave no foreigner might enter, and forbidding Clanrickard to exercise any sovranty within the walls. Athenry backed it inland, and Sligo remained at least an open port with a resident chief, O'Conor Sligo, a noble Dominican priory, and houses of Irish merchant princes such as O'Crean, whose monument is still seen in the priory.

Such records of Connacht will give us an impression

of trade and peaceful civilisation there that the battle-filled annals will not.[1]

It was the constant cry of the Anglo-Irish towns that they were in imminent peril from "Irish enemies" and "English rebels" and they made no distinction between these—the feudal lord being the common foe of towns all over Europe. With warlike gentlemen and their swordsmen ever at their gates, and the seas haunted by those Spanish, French, Scots and Irish semi-pirates whom the neglect of the imperial government allowed to ride the seas, the position of the Irish towns was far from happy.

In 1423 the mayor and commons of Cork petitioned the King that their city was continuously beset by Irish rebels so that none could go in or out without paying tribute to the said rebels, and the inhabitants had become so impoverished that they could no longer pay their fee-farm of eighty-six marks. Wherefore the King granted them a respite of the fee-farm and all arrears of the same for three years, and as the gates and walls were in urgent need of repair, he granted also to the said mayor a grant for this purpose of twenty marks a year for three years out of the Great Custom called the "coket."[2]

Waterford city had a feud with the Poers of Donohill—the "degenerate" descendants of Henry II.'s *Custos* over this original demesne of the Crown—going back to 1345 when says Clyn "the Poerini burnt and destroyed almost the whole country round Waterford and some of them were taken and hanged, drawn and quartered in the city." Later these Norman gentlemen threw in their lot with the strong maritime clan of O'Driscoll of Baltimore and in 1368 assailed the city, routed the civic array, and slew the mayor, sheriff, thirty-six burgesses and sixty strangers.

[1] The *Blake Family Records* shed much light on the state of English Connacht in the period 1315 to 1600. In 1416 Brian MacDonogh rebuilt FitzMaurice's Dominican Priory in Sligo. In 1572 died Henry O'Crean, "a rich and affluent merchant of Lower Connacht" (*F. M.*) The Priory contains a beautiful altar tomb of the O'Creans (O Craian) dated 1506 (see Crawford *Mural Monuments of Sligo Abbey, with plates*: *R. S. A. I.* June, 1921).

[2] *Cal. Pat. Rolls Eng.* 1422-29, p. 105.

then trading in the city, losing on their own side the Baron of Donohill, his brother, and many more. A song once current among the townsfolk commemorates such troubled times :

Young men of Waterford, learn now to play
For your mares and your plows have been all led away
So scour ye your weapons that have been long laid away
And defend you from the Poers that walk by the way.
For if they take you one by one
From them there scapeth never a one
I swear by Christ and St. John
That off goes your head.[1]

But the burghers of Irish towns had sturdy hearts and good armour to buckle upon them, as they had shown against Bruce and many an Irish king. Waterford was the " urbs intacta " that boasted it was never taken by Irish chief or Norman earl all through the Butler-Geraldine wars and the age of the Tudors.

In 1413, and several later battles, the Waterford men more than held their own against " Irish enemy and English rebel," and finally in 1538 " the great galley of Waterford with two other ships, having four hundred men on board, commanded by the mayor, sailed to Inisherkin to avenge the plunder of a wineship, took Finghin O'Driscoll's castle, and destroyed all the villages of the island, Finghin's most privy habitation and pleasant dwelling with its orchard, the abbey of Friars Minor, and the mill ; took his chief galley of thirty-four oars and many pinnaces ; and so returned on Good Friday with great joy and comfort." [2] It was hard,

[1] Taken from Ware's " Collections for Ireland " (see *Ulster Arch. Soc.* 1859 p. 99). Ware copied the above fragment from the Book of Ross. In the original it runs : " Yong men of Waterford lernith now to plai, for zur mere is plowis ilad beth away. Scur ze zur hafelis yt lang habeth ilei, and fend zou of the Powers that walkith bi the way," etc. The language is 14-15th century English. I owe the translation to the kindness of Professor Mawer of Liverpool University.

[2] *Carew Miscell* : pp. 471, 474.

however, to shake off the local tyrant, and we find in 1475 that Richard Poer had been sheriff of the city for 20 years and "has inflicted great injuries by land and sea on the citizens and strangers resorting there, and since in all the counties round the said city there live no lords, gentlemen or commons arrayed in English habit, or submitting to the King's obedience, or governed by any other laws save those called Brehon . . . therefore, as the mayor and commons of the said city are faithful subjects, it is enacted that henceforth they elect the sheriffs of the said city." [1]

The worst time for the towns seems to have been this age of the Lancastrians from 1400 to 1460; then the epoch of Home Rule, many as its defects were, did something to strengthen these buttresses of Anglo-Ireland and, weary of a long struggle with petty tyrants, Cork, Limerick, Galway, Youghal and the rest were fain to shelter under the great hereditary lords of Desmond, Ormond, Clanrickard who were the true sovereigns of Ireland.

Richard Duke of York finally landed at Howth on July 6, 1449. The personal appeal of so great a prince who flew the black dragon standard of the old earldom of Ulster was so potent with all the Irish that within a month Magennis, MacMahon and MacCartan of Down and Monaghan, and two O'Reillys of Cavan, joined him with some three thousand men "well harnessed, both horse and foot," so that he was able to bring Brian O'Byrne of Wicklow to swear allegiance and to promise to provide six hundred men for service, to pay a tribute of two-pence per acre on his lands, to let the law run therein, and to learn English. Before Michaelmas Henry, son of Eoghan O'Neill, with O'Farrell, O'More, O'Demsy, O'Nolan, Macgeoghegan and Donal Reagh MacMurchada sent tributes of beeves for the Duke's kitchen and James, Earl of Desmond, with his Old English

[1] Dalton's *Drogheda* II. p. 169, from an unpublished statute.

vassals, Cogan, Roche, Barret, the White Knight and others came in along with thirty-four Irish chiefs and swore fealty.[1] As a son George, afterwards Duke of Clarence, was born to Richard and his wife Cecilia in Dublin Castle on October 21, 1449, the opportunity was seized to make Desmond and Ormond " godsib " to York by their standing as sponsors at the baptism.

In the Parliament held under Richard in April, 1450, at Drogheda, the Commons elected a Speaker, John Chever, " to show and declare in the said parliament for them all manner of business which they have to declare, and to answer for them in matters moved or to be moved . . . but if it happen that the said Speaker show or say anything to the displeasure of the most high and puissant Prince, Richard, or of the prelates, lords and peers from ignorance or otherwise without assent or by assent of the said Commons, let it be not recorded or reported." [2]

Like many before and after him, the Duke found himself " mocked by the light submission of the Irish," and Macgeoghegan, who had been so complaisant at his arrival next year invaded the lands of Trim with such forces that the Duke could do nothing but come to terms with him.[3]

Finally in September 1450 Richard departed for England, where an Irish kinsman of his known to history as Jack Cade, but whose true name seems to have been John Mortimer, a base son of the late Earl of March, had shortly before raised a rebellion in the Duke's favour and actually on July 2, at the head of the Kentish rebels, took London town, but was soon after hunted down and slain. As Deputy, York left behind him Sir James

[1] *Nat. Facs. Ir.* plate XIII. XXIX.

[2] Berry II. p.179.

[3] MacFirbis *Annals* under 1450: MacEochagain's son took great spoils from the English and preyed and burnt Rathquary and Killucain, Kilbigsy and other towns. Then came the English of Meath and the Duke of York and the King's colours to Mullingar and MacEochagain's son with a great many horsemen well-armed and mounted came to Belatha-glasarnagh to meet the English, but they made peace with him.

Butler, eldest son of the Earl of Ormond, who had been in 1449 created Earl of Wiltshire and was married to Eleanor, sister of the Earl of Somerset. His father, the White Earl, closed his long life at the end of August, 1452. MacFirbis' quaint annals record his last deeds thus: "the Earl of Ormond, the best captain of the English nation that ever was in Ireland, died at Ardee, after he had broken the castle of Owney on Mulryan and taken Ley castle from O'Dempsey and so against O'Connor Ifally and O'Farrell of Annally, and then to Muintir Reilly, and MacMahon's, and caused Henry O'Neill to divorce MacWilliam Burke's daughter and take to him his own married wife MacMoragh's daughter, sister to the said Earl, and so to Ardee and there died." Thus died in harness perhaps the best type of the "Old English" that Ireland could produce, and we may regret that the Ormond line, which was so eminently fitted to intermediate between England and Ireland, did not continue to serve Ireland. But his son James, the fifth earl and also Earl of Wiltshire, was dragged into the York-Lancaster fight, spent most of his time in England and was beheaded with others of his party after Towton in May, 1461.

The leadership of the Patriot party passed first to Desmond, and then to Kildare, and the heads of the Butlers became English absentees.

The fourth earl of Ormond's brother, Sir Richard of Polestown, illustrates the tendency for the cadets of the First Families to become Irish. No senior Butler had ever yet married Irish, but this Richard had wedded an O'Reilly, and had by her a son Edmund MacRichard, who also wedded an Irishwoman, Catherine O'Carroll. Edmund's son James, generally called Baron of Dunboyne in Meath, fell in love with Saiv Kavanagh, daughter of Donal Reagh MacMurchada, finally marrying her, and had by her two sons, Esmond and Theobald, "born in affiance of the two before espousals" and a third, "born after espousals," who was therefore held legitimate, called Piers the Red ("Rua.") Piers was created by

Henry VIII. in 1527 Earl of Ossory, and finally on the death of his English kinsman Sir Thomas Boleyn, Earl of Ormond, was acknowledged Earl of Ormond in 1537, and so is ancestor of the later Earls.[1]

As Edmund MacRichard was baron of Dunboyne and as this manor was within a few miles of Maynooth, it was a natural *casus belli* between these Butlers and the Kildare earls.

The disputes of Butler, Kildare, and Desmond over borderlands in Leinster and in Munster were aggravated by the numbers of their cadets, inordinately proud of their name, much in need of fiefs, and able to call on Gaelic allies. The fatal feud of Ormond and Kildare, which went on nigh a hundred years and ended in the ruin of the latter race, had already begun.

A memorial from county Kildare to the Duke of York in 1454 stated that "the land of Ireland was never at the point finally to be destroyed since the conquest of this land as it is now," and complained of the "misrule and misgovernance of divers gentlemen of the county and liberty of Meath and the counties of Kildare and Uriel," and of:

"A variance betwixt therle of Wiltshire, Lieutenant of this lande, and Thomas FitzMorice of the Geraldynes [earl of Kildare] for the titles of the maners of Maynoth and Rathmore in county Kildare which hath caused more destruction in the said county of Kildare and Liberty of Meath than was done by Irish enemies and English rebels of longe tyme befor. Henry Bouyn, Treasurer of Ireland under the Great Seal, assembling with him Edmund Botiller, cosyn german of therle of Wiltshire, and William Botiller, cosyn to therle, came into Kildare, when 149 towns well inhabited last Michaelmas have been destroyed."

A hundred years after, the fruits of this land-profiteering were still visible in vested abuses. Thus the gentry and freeholders of County Tipperary wrote to Henry VIII. in 1542:

"This county was well governed till the White Earl [of Ormond] going to England left his kinsmen to govern, who then fell out and became murderers and manslayers of one another. After that Earl's death his sons being in high favour in England neglected their inheritance, and so the quarrels revived by marriages and confederacies with the Irish, maintained by the Earl of Desmond, which brought the land to destruction till, about 28 years ago (1514), after decease of

[1] Round *Early Life of Anne Boleyn* pp. 29-31.

Thomas Earl of Ormond who abode all his life in England, Sir Piers recovered much of his power and Sir James was brought to obedience but Sir Esmond continued by usurped power to charge complainants with coyne, livery, coddies, coysers, hounds, hounts, stokekepers, masons etc. and so does Sir Thomas, son of Esmond, etc."[1]

After various Deputies of his, the Duke of York was in March, 1457, again created Lieutenant of Ireland, but the Wars of the Roses were already launched on their bloody course and his party needed him, therefore he continued Thomas, seventh Earl of Kildare, as his deputy. This was to put into the saddle the Home Rule party, united on one point—the domination of Ireland. It was now that we find native Lieutenants appointing their own deputies, and installing their own Chancellors; and Chancellors and Treasurers holding for life, in dead defiance of the most essential prerogative of the Crown.[2]

It mattered little to the York-Warwick faction, for these bad Englishmen cared only to win another aristocracy, that of Ireland, to their side, and the government of Henry VI., which foolishly supposed sending York to Ireland was getting him out of the way, was in reality making Ireland a scourge to themselves and to England for fifty years.[3]

Then came "the Rout of Ludlow" on October 12, 1459, followed by the attainder of York and his supporters at the parliament of Coventry, and at the end of

[1] *Nat. Facs.* III. p. LXI. anp LXXV.

[2] The most striking case of long tenure is that of Roland FitzEustace Lord Portlester, who was Treasurer practically from 1454 to 1492. In 1483 Robert St. Laurence, Lord Howth, was appointed by Kildare Chancellor for life with power to name a deputy (*Lib Mun.* I. Pt. IV. p. 99). An act of 2 Richard III. allowed the chief officers of State to hold for life.

[3] An extract from *Record. Turr. Lond.* given in *Carew Miscell*: p. 478 puts the final loss of Ulster down to York:—"In fine during his government there, he so gained the hearts of the Irish nobility that divers of them, especially those of Ulster, Clandeboye, the Glins and the Ardes, which at that time were better inhabited with English nobility than any part of Munster or Connaught, came over with him against King Henry VI. to wit famous battles, as to Blorheth, Barnet, Northampton, and lastly to Wakefield, where they not only lost their lives with him but also left their country so naked of defence that the Irish cast up their old captain O'Neale, relyed themselves with their ancient neighbours the Scots and repossessed themselves of almost the whole country, which is the utter ruin of Ulster."

the year Richard landed in Ireland, a defeated refugee to throw himself, like King James in 1689, on the generous hearts of the Irish people.

But no more than in 1689 did Ireland's ruling class intend to declare unconditionally for a refugee Prince. The unexampled moment was seized to declare the full internal autonomy of the Lordship of Ireland. At the Parliament of Drogheda called by York early in February, 1460, the Irish Estates answered the English attainder of their hero and his side by attainting the heads of the Butlers and other Irish enemies of the Duke, confirmed "the most high and puissant prince, Richard Duke of York" as viceroy; made it high treason to compass his death or provoke rebellion against him; and, having thus defied the judgment of England, proceeded to declare the legislative and legal independence of Ireland, as follows:

"The subjects of Ireland need not answer writs save under the Great Seal of Ireland, and all appeals of treason shall be determined in the Courts of the Constable and Marshal of Ireland, unless they touch the King's person."

The land of Ireland is bound only by the laws of its own parliament, for "the land of Ireland is and at all times has been corporate of itself by the ancient laws and customs used of the same, freed of the burthen of any special law of the realm of England, save only such laws as by the lords spiritual and temporal and the commons of the said land have been, in Great Council or Parliament there held, admitted, accepted, affirmed and proclaimed, according to sundry ancient statutes thereof made." [1]

So bold an assertion of equality with England under one Imperial crown had never before been advanced. Richard had to accept it though probably with little satisfaction for after all he was an Englishman. But his party was scattered and Ireland was his greatest asset.

In June, 1460, Richard left for England, with many Irishmen in his train, but, after having seen the Crown almost within his grasp, he was slain in a surprise battle at Sandal near Wakefield on the last day of 1460. Thus perished with Irish troops around him the hero of all

[1] See Berry *Statutes* II. for the acts of this parliament pp. 639-801, and p. 645 for the words quoted.

Ireland. But at least he had won almost all Ireland to the cause of the White Rose for some forty years to come.

The Duke's eldest son Edward proved himself a brilliant soldier, and was crowned King of England on March 4, 1461, and established his throne at Towton field, on March the 29th. James Earl of Ormond, had been on the losing side, was taken, and executed later at Newcastle; and at the Parliament of Westminster in November himself and his brothers John and Thomas were attainted with other Lancastrians.

With Edward IV. the whole Mortimer heritage in Ireland and Wales merged in the Crown. The first Yorkist king owed a family debt to Ireland, and so had perforce to leave the Home Rule lords in power. Under him indeed the Anglo-Irish nobility was reinforced by new creations, such as Sir Robert Barnewall, Sir Roland FitzEustace, Sir Robert Bold and Sir Robert Preston, who became respectively Barons of Trimleston, Portlester, Ratoath, and Viscount Gormanston.

The Earl of Kildare, whom the Council elected Justiciar on York's death, ruled till March, 1462, when the King's brother, George Duke of Clarence, was made Lieutenant, but did not come over and left the government to Irish Deputies.

Thomas, son of James Earl of Desmond, succeeded his father in the earldom in August, 1462, his father dying in that year at Newcastle and being entombed at Tralee. Thomas had at once to unite with the Earl of Kildare to oppose a Lancastrian or rather Butler insurrection led by Sir John of Ormond, brother and heir of Earl James slain after Towton. Attainted in England, the Butlers, both the senior and the MacRichard line, were also attainted at a Dublin parliament in October, 1462. But the titular Earl sailed for Ireland and proved how formidable a Butler league could be. In 1462 Waterford, Kilkenny, New Ross and other towns declared for him, Edmund MacRichard and the junior Butlers of Kilkenny and Tipperary rose, and an army of 5,000

men took the field for him in Meath led by Bermingham and others of the Old English reinforced by O'Conor Faly.[1] The new Desmond Earl, however, saved King Edward's cause and his own by raising 20,000 men at his own cost; wasted Ormond's country for seventeen days; reduced the Meath rising without bloodshed; and at Pilltown or Baile-an-phoill near Carrick-on-Suir defeated Ormond himself so completely that "for certain it might not be known how great a number was slain, and Sir John himself was discomfited and put to flight" (1462). In this battle Edmund MacRichard, who was a famous warrior, followed by a thousand horsemen with helmets, and a hero of the Irish poets, had four hundred men slain and himself taken, and as part of his ransom paid over to the victor Desmond, who could appreciate them quite as much as he, two great Irish books out of his library, the Book of Carrick and a copy of the ancient Psalter of Cashel, made for him at his castle of Rath-an-photaire in 1454, and dedicated "with a blessing on the soul of the archbishop of Cashel, Richard O'Hedigan, for it was by him the owner of this book was educated."[2]

In 1465 this MacRichard's attainder was reversed by the Irish Parliament, and in 1468 that of his son James. Edmund himself having died in 1464 or 1465, James took his place, and maintained the cause of his senior, John Earl of Ormond. Sir James had loved and then married Saiv or "Sabina" Kavanagh, and had by her three children, Esmond, Theobald, and Piers Rua. These two former were legitimated by Parliament in 1467 as being born "in affiance between the two before espousals," and a royal patent, given by Desmond as Deputy in that year, freed Saiv and her issue by James,

[1] Parliament in 1465 (Berry III. p. 272) pardoned Kilkenny and New Ross and ordered to surrender John Drake and other English of Meath, forty in all including John Bermingham of Carbery "chief of his nation."

[2] *F. M.* and *MacFirbis* 1462, and Irish parliament to King, in Berry III. pp. 180-88. The *Saltair Chaisil*, compiled circa 900, existed till 1454 when O'Clery made a copy of what survived of it for Edmund MacRichard—of this copy a fragment is in the Bodleian. The *Saltair* contained *inter alia* a great collection of royal Irish pedigrees.

begotten or to be begotten, from all Irish servitude and enabled her and them to enjoy English laws, acquire and purchase lands, and answer and be answered at the King's courts. Piers, however, born about 1467, in due wedlock, regarded his elder brothers as illegitimate and himself as his father's lawful heir.[1]

The attainder of Earl John himself was reversed by the Irish Parliament in June, 1476, but this Earl, whom King Edward praised as " the goodliest knight I ever beheld, and the finest gentleman in Europe," spent most of his life in England and abroad, and died in 1478. His brother and heir, Thomas, was also generally absent till his death in 1515, and thus was completed the absenteeism of this great Old English race. James of Dunboyne, MacRichard's son, led the Irish Butlers till his death in April, 1487. A deed of his calls him " chief captain of his nation " ; so far in the Celtic direction had this great-grandson of a Norman earl gone. After him, his son Piers Rua " the Red," was practical head of the Butlers till the death of Earl Thomas in 1515, and then defied Henry VIII. when that monarch made Sir Thomas Boleyn, son of William Boleyn and Margery daughter of Earl Thomas, Earl of Ormond, but was pacified by the earldom of Ossory in 1527, and finally was created Earl of Ormond in 1537.

Such were the cadets of the Butlers who now spread far and wide from the Ormond country into Meath, Carlow, Wexford and Tipperary. Hemmed in by the Kildare earldom on one hand and that of Desmond on the other, mearing and border disputes kept up a friction between these great families which was accentuated by the Yorkist feelings of the Geraldines and the rather tepid Lancastrian feelings of the Butlers.

Thus at Castledermot the Ormond touched on the Kildare palatinate, and at Clonmel Desmond and Ormond clashed over the lordship of this important town which the Earl of Desmond had bought from Peter Grandison

[1] Round *Early Life of Anne Boleyn* pp. 29-31 ; Berry III. p. 487 ; and Carte's *Life of the Great Duke of Ormond* I. pp. LXXXV.-VI.

in 1338, and in virtue of this held courts leet there, while the Earl of Ormond, as Palatine lord of Tipperary, had cognisance of all save reserved Crown pleas, and, while Desmond appointed the provost of the town, Ormond appointed the sovereign, till finally in 1371 the Lieutenant Windsor granted the burgesses the right to elect the sovereign themselves.[1]

In April, 1463, Thomas earl of Desmond became Deputy for the Duke of Clarence and held till 1467, while in January, 1464, the other head of the Patriot party, Thomas earl of Kildare, was made Chancellor. At Desmond's first Parliament, held between Martinmas 1463 and St. David's Day, 1464, the rewards made to the Earl " for his notable services against Sir John of Ormond " included a grant of the custody of the ruined lordships and lands of Carlow and Ross, and the seignory of Dungarvan for sixty years.

Desmond's good sense, more perhaps than his Irishism, was shown in a statute there passed that " as the profit of every city and town in the land depends principally on the resort of Irish people bringing merchandise thereinto, the people of Cork, Waterford, Limerick and Youghal may trade with the Irish, in spite of all statutes contrary." Again in August-November, 1465, Desmond held a parliament at Trim and Drogheda which passed acts of pardon for Edmund Butler, and the revolting towns of 1462. In the spirit of Kilkenny the Irish among the English of Meath, Louth, Dublin and Kildare—which are thus for the first time recognised as the Pale, the only portion left of the true " English land "—were ordered to take English surnames, to go as English, and be sworn as lieges within a year. Fishing in the waters of Irish enemies without licence was forbidden for by this " large tributes of money come to the Irish from foreign ships." To terrorise evildoers, Old English or Irish, a ferocious act was passed allowing any liege man " without fear of impeachment " to slay any thief or thieves going in or out to steal, especially in the land of Meath, having with

[1] W. P. Burke *Hist. of Clonmel* p. 15-16.

them no faithful man of good name and fame and in English apparel." [1]

That Desmond was a statesman ready to enlarge the "English land," while at the same time he won the hearts of the Irish, is shown in that for the first time for many years County Cork was in 1463-4 represented in Parliament by two knights, Robert Rochford and Edward Penkeston. That he was a cultured and thinking man is shown in his attempt to provide the Anglo-Irish race with an University. At this parliament of 1465, then sitting at Drogheda during October and November, it was enacted that "inasmuch as the land of Ireland has no university within it, which if it had would promote as much the increase of knowledge and good governance as avoidance of riot and misgovernance, it is ordered that there shall be an university at Drogheda where may be made bachelors, masters and doctors in all sciences and faculties as at Oxford." [2] This design of a *studium generale* for Ireland was inspired as much by the prevalent nationalist sentiment as by wounded feeling over the exclusion of Irishmen from English universities. Not followed up, in itself it came to nothing. But shortly before this Earl Thomas had himself founded in his town of Youghal on December 27, 1464, a single college of the All Souls type. Called by him the Church of the Blessed Virgin at Youghal, its community consisted at first of a warden, eight fellows, and eight singing men, living in collegiate manner and having a common table. Endowed by the Earl with lands, etc., yielding £600 per annum, the foundation was confirmed by Thomas' son James in 1472, and by Papal Bull of Alexander VI. in 1494 which gave permission to the warden and fellows to purchase more lands. Till Trinity College arose, it was the nearest thing to an Irish university that existed and, had 16th century Ireland known better fortune, might have anticipated the later foundation. Surviving the Dissolution, it had in 1602 a warden Meredith Hanmer,

[1] Berry III. pp. 41-265 and 272-369.
[2] Berry III. p. 369.

who at least wrote a chronicle of Ireland not without merit; but after the ruin of the Desmond house it fell a prey to the fortune seekers, was granted in 1598 to Norris Lord President of Munster, and finally came to that most successful of all land-monopolisers, Richard Boyle Earl of Cork [1]

Meanwhile the Earl of Desmond's dealings with the "Irish enemy" and the constant extension of his vast Irish lordship were rousing suspicion and fear in the Council room of England.

Desmond's earldom, which embraced all Munster west of a line drawn from Limerick to Clonmel and Dungarvan, was in truth a small kingdom which had few equals even among the great earldoms of England. And it was an Irish kingdom, for the Gaelic vassals and subjects of the Earl were more numerous than his Englishry. Son of the O'Brien-fostered James and of a Burke lady, it is certain that Thomas spoke Irish and had strong native sympathies. When he held Parliament in Dublin in 1464, MacWilliam of Clanrickard his cousin, Aedh Rua O'Donnell, and "many of the English and Irish" attended him there, and the unusual sight was seen of Irish chiefs with their galloglass walking the streets of the capital—a token that Norman and Celtic chiefs were now joint lords of Ireland. Though the Desmond records have mainly perished, their rentals must have recorded numerous grants to Gaelic chiefs, and concordats made with them in this earl's time, as under his father, in a sense contrary to anti-Irish statutes.

Thomas had allowed the race of Conor O'Brien to keep the Lordship of Carrigogunnell and Pobal Bhriain in Limerick, founded under his father earl James, which stretched to within a few miles of Limerick city. Then in 1466 Taig son of Turloch O'Brien, king of Thomond since 1458, it would seem retaliating because the Earl had sheltered this rival branch, invaded the earldom and marched southwards over the Shannon, "and," says

[1] Dalton's *History of Drogheda*, p. 150 and 157, and Smith's *Hist. of County and City of Cork*, p. 55.

MacFirbis, "we heard not of such an host with any of his name or ancestors since Brian Boro . . . so that the Irish of Desmond and Iarmond all obeyed him; he bribed the Old Irish of Leinster so that they were working his coming; but he retired to his house after he had conquered the country of Clanwilliam all, and the county of Lymbrick, it being made sure to him from the Earle in lieu of granting peace to the said Earle and to his country, and the townsmen of Lymbrick gave sixty marks yearly to him for him [i.e., to the Earl for O'Brien], but he afterwards died of a fever in his own house" (1466).[1] Such were the terrifying triumphs of native chiefs at this time and if Taig's brother and successor Conor did not keep County Limerick, at least he and his successors kept till the next century that Blackrent upon Limerick city to which the Earl had had to consent.

That Desmond had by vote of Irish parliament added Dungarvan and Carlow and other rich lordships to his princedom could not be directly charged against him for the Crown had approved, but such "overmighty subjects" the Yorkist monarchy, once it got its feet, was bound to challenge both in England and Ireland. In Desmond it was an especial offence that he was obviously more Irish than any Patriot leader had yet been, and the Irish exactions of coign, livery, etc., begun by his father and continued by him, were of all offences the most heinous—a surrender of the citadel to the "Irish enemy."[2] Later Sir Roland FitzEustace was accused of having incited the Earl to take the Throne of Ireland, and whether the idea ever entered Desmond's head or no, it is certain that for over seventy years it was the constant fear of the English crown that some "Irish wyrling" would take it on him to assume the Sovereignty of Ireland.

[1] See *F. M.* 1464, 1466, and 1502. We find the County Limerick under Henry VII. paying £40 a year in black rent to O'Brien.

[2] Dowling says *sub.* 1462 that Thomas "burdened the County of Waterford, Cork, Limerick and Kerry with Irish impositions, and some say it was on account of these outrages and exactions against the King's peace and the laws of Ireland that he was decapitated."

By one of the most dramatic surprises in Irish history, the pride of the greatest Old English and Irish lord in Ireland was suddenly quenched in his own blood.

Sir John Tibetot or "Tiptoft," Earl of Worcester, was "the most learned nobleman in England." An art lover and true child of the Renaissance, he was educated at Balliol college; went on pilgrimage or tour to Jerusalem, and while sojourning at Rome delivered a latin oration which moved to tears the great Aeneas Sylvius himself. Tibetot translated "Tullius' his book of friendship," and Caxton published it in 1481 with a lament for the noble earl cut off in early manhood in these bloody wars of York and Lancaster.

As if to show how Art and political ferocity could animate the same Renaissance breast, Tibetot as Constable of England adjudged to savage execution by "the Law of Padua," which he had studied to good effect in the Italy of Macchiavelli, so many noble victims of the Yorkist triumph that he earned the name of "the Butcher." If the New Monarchy, which France now had and Worcester wished for England, could have been founded in a shambles of the nobility, Worcester would have done the work without a qualm. But when his master Edward was for a time overthrown in 1470 the "Butcher" and translator of Cicero was pitilessly and ignominiously despatched to join his victims in the shades.

This was the man who found time in his brief career to strike down the greatest of the Anglo-Irish, and that with a sudden ruthlessness not witnessed again till Henry the Eighth.

Appointed Lieutenant of Ireland in 1467, Worcester was evidently given a free hand to conciliate the Irish Butlers—for Edward had taken the Earl of Ormond, though still attained, into grace—and to make a demonstration of English power, even if it meant a blow at that nobility which had embraced the cause of York. Tibetot reserved this demonstration for an Irish parliament held first at Dublin and then at Drogheda between

St. Nicholas' day 1467 and early November, 1468. Here the sovereignty of Edward as Lord of Ireland in virtue of Adrian's Bull was re-asserted and the bishops were ordered to enjoin general obedience to him as such. A formidable list of English, with some Irish, of the marches of Meath, Kildare and Dublin, guilty of extortions and robberies against the liege people were sternly ordered to surrender. The shame of "le blake rente" to Irish enemies was to be ended and the subjects were ordered te pay it to the viceroy—a vain command of course. The attainder of James Butler of Dunboyne was reversed and his Irish wife Saiv Kavanagh and her children by him legitimised. But the thunderbolt was fired at Drogheda, whither the earls of Desmond and Kildare came to justify themselves before Tibetot. An act was suddenly passed—and that it was passed is significant of the way this tiny Parliament could be packed—against the heroes and leaders of nearly all Anglo-Ireland, and at the instigation of Sherwood bishop of Meath, a politician of the Talbot school, the Earls of Desmond and Kildare and Sir Edward Plunket were, on February 4, 1468, attainted "for horrible treasons and felonies as well in alliance fosterage and alterage with the Irish enemies of the King as in giving to them horses, harnesses and arms." Before he could escape or appeal, Desmond was taken and beheaded at Drogheda on February 14, 1468, while Kildare escaped to England and procured the reversal of his attainder at this very parliament of Drogheda later in the year, binding himself however to do faithful service and bring the Irishmen of Leinster to peace to the best of his power.

The judicial murder of Earl Thomas, which was paralleled a hundred times in England during these fifty years, struck both Irish and Anglo-Irish with horror. "Slain by the swords of the wicked or shall I say rather made a martyr in Christ," is one epitaph upon him, while MacFirbis' annals praise him as a native hero, "bountiful in bestowing good gifts on both laity and

clergy and on all the learned, both antiquaries, poets and aesdanas of all Ireland."[1]

The dead man's son James, who took the title after him at once raised the Geraldines of Munster, ravaged Meath wherein was King Edward's land of Trim and, enlarging on the Royal privilege of 1445, swore that he and his would never attend Parliament or Great Council again, or enter walled town of the King's allegiance, except at their own pleasure, a " privilege " only renounced by his successor in 1540. James, who reigned till December, 1487, went even more Irish than his father, for he married Margaret, daughter of that Taig O'Brien who had made the great raid of 1466. For the English interest it was certainly no triumph to drive the greatest of the Old English of Munster, even when it remained sporadically Yorkist, over to Irishry.

But the idea of a Re-conquest of Ireland was bound to present itself to the first established king of England. If Edward's father had acted on the maxim " he who would England win, must with Ireland first begin," later kings of England could turn the lesson the other way round, and, from a united England, conquer a still feudal and Yorkist Ireland. Moreover the *Libelle of Englyshe Policye*, published already in 1436, had advised the rulers of England :—

> Remember well with all your might to hede.
> To keepe Irlande that it be not lost.
> For it is a boterasse and a post
> Under England, and Wales another :
> God forbid but ech were other's brother
> Of one ligeaunce due unto the king.

[1] Obits at end of Grace's annals p. 165, from a Mortiloge of Askeaton or other Desmond abbey. The " aesdána " were the professional poets, or " men of science." See Gilbert's *Viceroys* p. 386 for Holinshed's story that Desmond's execution was due to the resentment of Elizabeth queen of Edward IV. because Desmond had advised Edward not to marry her. I agree with Orpen (*Eng. Hist. Rev.* (1915, p. 342), that there is nothing in the story and that Desmond's real offence lay in his adoption of Irish custom. For example, presents of horses, arms, etc., to Irish chiefs were simply the old customary Brehon way of confirming their vassalage to the " Ri " who bestowed such stipends.

But I have pittie in good faith of this thing
That I shall say it with avisement,
I am afearde that Ireland will be shent,
It must away, it wol be lost for us.[1]

But for a truly established King, England had to wait till 1509, and Edward the Fourth himself for six months of 1470-1 was a fugitive in Holland before the union of Warwick with Henry VI., and the earl of Worcester was taken and slain. Hence, in the unsteady years before that debacle and for fourteen years of the Yorkist Restoration, Ireland had to be left to the Patriot party and to Kildare who now took the leadership formally held by Ormond and Desmond.

Tibetot returned to England in the end of 1468. In the troubled year of 1470, Thomas of Kildare ruled as Justiciar by the will of the Irish Council, for the titular Lieutenant Worcester was with the overthrown Yorkist party. On Edward's restoration, Clarence became nominal Lieutenant again till his execution, but Kildare held as Deputy most of that time till his own death in March, 1477.

From this time on the House of Kildare is more and more the ruler of Ireland. As the Irish parliament was the body through which the Kildare earls clothed their doings with legality, let us survey the proceedings of this assembly in the ten years from 1470 to 1480. It was a parliament now representing little but a few towns of Leinster and Munster, the commons of four shires, viz., Dublin, Meath, Kildare and Louth, and such bishops and "lords of parliament" as still performed their parliamentary duties. It had much of the outward appearance of its English prototype; payment of members, immunity from arrest, a Speaker, recognition that laws were made at the request of the Commons. By the declaration of Right in 1460 the Irish parliament had claimed to be supreme over the internal affairs of Ireland, and thus, when in 1468 the Irish house ratified an English act of 6

[1] Printed in *Principal Navigations of the English Nation*, London 1599, and in Wright's *Political Poems*.

Richard II. concerning rapes, it laid down the principle asserted in 1460, that English acts could only bind Ireland when accepted by the Irish legislature, by adding " from henceforth the said act and all other statutes and acts made by authority of parliament within the realm of England, concerning all manner of rapes, are ratified confirmed, and adjudged by authority of this parliament, from the said sixth day of March." Willy nilly the English Crown and Parliament had to accept these claims for another twenty seven years.

To crown this framework of Home Rule a kind of native king was needed. On Worcester's death in 1471 the Irish Estates, acting on a supposed statute of Henry FitzEmpress giving them the power, made Kildare Justiciar by simple election of parliament and added, " this election—the land being without a governor by avoidance of the Earl of Worcester—is declared by authority of parliament to be good and effectual in law, and by the same authority is ratified and approved."

If avoidance of taxation be a token of freedom, the freedom of England's colony was now almost perfect. Owing to the Irish re-conquest, rents and profits from feudal tenures ceased to count for much in the revenue. The parliamentary carucage which occasionally supplemented the State resources fell so greatly in amount that in 1480 the Deputy Kildare was instructed by King Edward not to demand more than one subsidy in the year and this not to exceed twelve hundred marks " as hath been accustomed "—thus a sum of £800 per annum was as much as could be got to supplement the standing income from customs, Crown lands, feudal dues, firms, rents and profits of justice.

To maintain the dignity of their vice-king, the Irish Estates in 1472 granted him a retinue of eighty archers, increased in 1474 to a hundred and sixty-three spears. Much more impressive was the Guild of St. George, established in 1474 by Act of Parliament for the defence of the Pale. By this a force of two hundred fully equipped men, namely of archers on horse one hundred and twenty

of horse forty, and of pages forty, paid out of the customs, was to be commanded by the Deputy and twelve of the most honorable persons of the four Pale counties who should elect a Captain every year in Dublin on St. George's day. As the next earl, Gerald, when he was confirmed Deputy in 1481 was further granted a retinue of forty spears by the King's orders, and as the Guild of St. George was really a force maintained for this native viceroy, it meant that a far from contemptible royal guard of nearly five hundred of the best troops in Ireland rode ever at his command. True the salary granted him in this same year, £600, was but small, but then he had the profits of the whole Lordship of Ireland.[1]

The nature of enactments in these native parliaments can be seen in the proceedings of the Estates as summoned by Kildare and the bishop of Meath in the years 1472 to 1475.[2] In that held under Kildare, from December to March, 1472-3, it was enacted that the Deputy may appoint to offices of State. At Dublin and then Kilmainham, in March, 1474, the Brotherhood of St. George was established. At Dublin in July, 1475, before Sherwood bishop of Meath, Deputy for Clarence, the attainder of Sir John, Earl of Ormond, a favourite of king Edward, was reversed. In the parliament of 1472 Collon in Louth is described as " on the frontier of the marches of Uriel, and is the key of that part of the country " ; in 1475, Siddan, " which is the key of the country there, and is surrounded by lords who take coign and livery and leave English conduct " has confirmed to it the liberties granted to it in *circa* 1290 by Philip Telyng, and may impose customs for murage as it has never been walled. In 1472 bitter complaint is made that " the writs of the king nor the law of the king nor his court is not used

[1] Gilbert's *Viceroys* App. 592-9, for the instructions of the King in 1480, and p. 600 the viceregal indenture between the King and the Earl of Kildare in 1481.

[2] Tomás O'Muirgheasa of the *P.R.O.I.* has kindly allowed me to see a most valuable table of Contents which he has made of the Statutes beginning 12-13 Ed. IV., the originals of which have, it is to be feared, perished in the Four Courts.

betwixt the people of the king in Ulster"—so justices may enquire by juries of men of the next county just as if they were in Ulster. All Ulster is lost save for Carrickfergus and Ardglass.,

This picture of the loss of the northern frontiers brings us back to the Gaelic lords of the North.

Aedh Rua O'Donnell, whose long reign covered 1461 to 1505, had in 1464, as we saw, marched into Dublin as an adherent of Thomas earl of Desmond. In 1469, having got Richard, the Mayo Burke, to submit to him, he marched against Ulick of Clanrickard, and Conor O'Brien of Thomond came to the help of Clanrickard who had married Conor's daughter Slaine, but the two latter were defeated at Glanog. Next year O'Donnell took Sligo castle from Donal O'Conor, the reigning chief, and got submission and tribute from Lower Connacht, while O'Conor had also to surrender precious books—the *Lebhor na h-Uidhre* his ancestors had had since 1345 and the *Lebhor Gearr* with the chair of Donal Óg, king of Tyrconnell circa 1260.[1] Thus did O'Donnell affirm his paramount lordship in the borderlands of Ulster and Connacht.

It was this Aedh Rua who built Donegal castle and the fine abbey of the Franciscans there, and made this his "manor of Donegal," just as Dungannon with its castle was now O'Neill's seat.

Meanwhile Henry O'Neill strove to command central Ulster, and in 1470, backed by a great alliance of O'Donnell, Maguire, O'Cahan and MacQuillan, forced the Clannaboy O'Neill to submit. A curious incident, related in the Ulster annals, attests how lost even Down was to English ideas. In 1459 Patrick White, lord of Dufferin in Down, captured Patrick Savage, whose family generally held the office of Seneschal of Ulster, and assumed the Lordship of Lecale and "the Senes-

[1] Compare with MacRichard and the Psalter of Cashel formerly this Chapter. "*Lebhor na hUidhre*" or "Book of the Dun," compiled about 1100, contains a version of the great Conchobar epics. Nothing is known of *Lebhor Gearr*.

chalcy of the English of Ulidia," as though it were a matter of elective chieftaincy. But next year the Savages took Patrick White prisoner in his turn, exchanged him for Patrick Savage, and "Lecale and the Seneschalcy were given to the son of Savage again." In 1472 "Rury MacQuillan was made The MacQuillan." No wonder the Dublin parliament thought Ulster lost.

CHAPTER XIV

THE ALL-BUT-KINGSHIP OF KILDARE, 1477-1513

THOMAS seventh Earl of Kildare died on March 25, 1477, and Gerald his son a man of twenty-five, succeeded. This, "the Great Earl," "Gearóid" or "Garret Mór," was to be the real king of Ireland till his death in 1513. Married to Alison FitzEustace, daughter of Lord Portlester, he had almost all the Anglo-Irish save for the Butlers with him, and wielded a sway over the Gaels that none of the Old English had yet had. The marriage of his sister Eleanor in 1480 with Conn, eldest son of Henry O'Neill Lord of Tyrone, united the two greatest houses, English and Irish, in Ireland. The marriage defied the statutes of Kilkenny, but an act of parliament in 1480 covered the flaw, and made Conn and his issue by Eleanor of free estate and condition in law. In later years, one daughter of Garret Mór married Donal MacCarthy Reagh, a second Maelruana O'Carroll, chief of Eli, a third Manus, son of Aedh Óg O'Donnell, who became chief in 1537. The present lord of Tyrconnell, Aedh Rua O'Donnell, father of Aedh Óg, entered into an alliance with Garret which remained unbroken till his death.[1]

Backed by such resources, Kildare contrived to rule Ireland in the name of York, then, getting the better of Henry the Seventh, to rule Ireland in the name of Tudor

[1] The act of 20 Ed. IV. states :—" In consideration of loyal service done by Henry O'Neill, captain of his nation, and by his son Conn, lately married to Elianor daughter of Thomas late earl of Kildare, it is enacted that said Conn be of free estate and condition in law as the King's liegeman, and that he and his issue engendered by the said Elianor be adjudged English and of English condition, and may plead and be impleaded as the King's liegeman in all courts as if he had been the King's subject "—quoted in Hardiman's *Statutes of Kilkenny*, p. 52 (*Tracts rel. to Ireland* II., Irish Arch. Soc.).

and to establish a practical sovereignty which, continued by his son, was only ruined by the folly of his grandson Silken Thomas in 1534. The last three earls of Kildare were, in short, true Mayors of the Palace to an absentee Lord of Ireland.

Almost at once Garret Mór had to face, and dared to defy, the Crown of England. The Irish Council elected him Justiciar as they had done his father in 1472. The Duke of Clarence, nominal Lieutenant, being attainted and done to death in February, 1478, Edward by Privy Seal deprived Kildare of the Deputyship and sent Henry Lord Grey over instead. But Home Rule had gone too far for such an ukase; Portlester would not surrender the Great Seal, nor Keating, Prior of Kilmainham and Constable of Dublin Castle, admit Grey, while Kildare on his own responsibility called a parliament to Naas which protested against his dismissal by mere privy seal, voted a subsidy, and gave him power to adjourn and prorogue parliament at pleasure.[1] Grey had to yield, and by royal command had a new Great Seal made, while a parliament summoned by him at Trim enacted that in future election of a temporary Justiciar should be by majority of the Council, and by consent of Parliament till the King's pleasure should be known.

Although royal princes, George and Edward, infant sons of Edward, and King Richard's son Edward, and then John de la Pole, Earl of Lincoln, became nominal Lieutenants, in fact Kildare ruled Ireland till the fall of the House of York, Edward confirming him as Deputy in May, 1482.

Meanwhile in 1478 John sixth Earl of Ormond died and his brother Thomas succeeded, whose absence till his death in 1515 and the marriage of his only child Margaret to Sir William Boleyn completed the disappearance of the senior line from Ireland. As no Irish lordship could exist without visible head, the Irish Butlers

[1] The proceedings of this "pretended parliament" were annulled in Nov. 1478: see *Reg. Alani* fol. 158.

under Sir James of Dunboyne, and his son Piers Rua after him, filled the vacuum, and built up a lordship in Ossory and Ormond which had a strangely un-English and un-feudal look in Henry VIII.'s time. The complaint of the Englishry of Tipperary in 1532, which we have quoted, traces the history of their Butler lords up till Earl Thomas's death :

"who abode all his life in England when Sir Piers recovered much of his power . . . but Sir Esmond [Piers' elder brother, son of Saiv Kavanagh] continued by usurped power to charge complainants with coyne, livery, coddies, coyysers, hounds, hounts, stodekepers, masons etc and so doth Sir Thomas, son of Esmond, namely coddies at Christmas and Easter, or certain sums in lieu, kepers of hounds and stoods, coyne and livery for horsemen, horses and horsekepers, also exactions for wine at Christmas, maintaining garrisons and castles, with aid towards marriage of every one of his daughters, a sheep of every flock, and a cow of every sixty kine ; also he levieth on every colp or carrue [the Irish quarter] of land in the cantred of Clonmel a bushel of oats called summer oats also a retinue of kernetye [household kern] perpetually on the same cantred, which retinue was never granted to the Earls of Ormond except for ministrations of justice and executing of Seneschals' processes. Hence petitioners are not able to bear the King's subsidy late granted."[1]

Piers, who finally saw, and aided in, the fall of the House of Kildare, and in 1537 got the Ormond earldom, is generally called a Lancastrian, but his sympathies for the Red Rose and for the House of Tudor afterwards were but a mask ; his real quarrel with the Geraldines was one of lordship and land and the domination of Ireland.

The Butlers had Irish connections no less powerful than those of Kildare and Desmond. Piers Rua was grandson of Catherine O'Carroll, the wife of Edmund MacRichard and daughter of Maelruana O'Carroll, whose sister Margaret, wife of Calvach O'Conor Faly, had earned the encomiums of all the learned of Ireland for her princely entertainment of them in 1434. The father of Maeluana O'Carroll, Taig, slain in 1407, had married Joan daughter of the second earl of Ormond.

[1] *Nat. Facs.* III. pl. LXXV. Esmond's branch of the Butlers established itself in Cahir and Clonmel and continued the Gaelic interest first shown by Edmund MacRichard : the *F. M.* record under 1596, the death of Theobald son of Piers son of Edmund Butler, lord of Cahir and of the cantred of Clonmel, who had the greatest collection of poem-books (*duanaire*) of almost all the old English.

The famous Calvach O'Conor, allied by marriage to the Butlers, after building up a formidable power in Offaly, died in 1458, having first—it is significant of the decay of elective chieftainry—ordained his son Conn to take his place.[1] Piers himself was son of Saiv Kavanagh whose father Donal Reagh died in 1476. Donal was succeeded in order by his sons Art Buí and Gerald, and as these were descended from Elizabeth de Veel, daughter of an earl of Kildare, and as Sir Piers Butler was their nephew, the MacMurchadas were now closely connected with the two great Norman houses. They too showed the more modern touch even if till 1522 they boasted the title "*Rex Lageniae.*" Donal Reagh's younger son, Cathair or "Carolus," was last abbot of Duisk, elected in 1501 and surviving its dissolution till after 1555. Stanihurst calls him "a man of learning and virtue and a surpassing divine." At his command were drawn up a cartulary and annals of the abbey, of which however only a fragment survives. In this fragment is given a patent of Henry VIII., in his fourteenth year, granting to "Karolus Kavanagh, abbot, of Irish nation, by special assent of our cousin, Piers Earl of Ormond, that he and his issue shall enjoy the laws of England."[2]

Great as were Irish chiefs and Norman lords, there was no lack of fighting spirit in the Pale, and English bow and spear could still prevail against the light Irish array, so that when O'Reilly of Cavan with two thousand men ravaged Louth in 1470, John Bole, archbishop of Armagh, and the mayor of Drogheda collected five hundred archers and two hundred poleaxe men, who were joined at Ardee by Sir Robert Taaf with seventy horse, which little force of near eight hundred men the arch-

[1] *F. M.* 1434 and MacFirbis *Annals* 1451. *O'Carrolls of Ely*, Kilk. Arch. Soc. 1883. In 1513 "the sons of MacMurchada" supported Piers Rua in an attack on Desmond's land of Imokilly. Campion's *History* relates that when the Earl of Kildare was sent for to England in 1527, Piers, then Earl of Ossory, "came to Dublin with an army of Irishmen, having captains over them O'Conor, O'More, O'Carroll, and at St. Mary's abbey was chosen Deputy by the King's Council."

[2] See for a fragment of Abbot Kavanagh's *Registry the Charters of Luiske op. cit. P.R.I.A.* pp. 153-4.

bishop blessed; then they marched to Corbally near Malpas bridge and there put O'Reilly to rout and slew four hundred of his men.[1]

By coign, livery and the like the great lords now commanded whole armies of men. According to later evidence, Earl Garret was the first who openly dared to impose Irish "cuttings and cessings" upon the Pale. "The first coin of galloglasses called *coin bon* that was cessed within these fifty years in these quarters that Gerald, father to Gerald late earl of Kildare, cessed in the county of Kildare was one Barret having but twenty-four sparrs (axes), who came to him being exiled out of Connaught. The said galloglasses so increased in the time of Gerald his father that in his time they came to 120 sparrs."[2]

With these dreaded galloglass did chief and lord alike fight their deadliest battles. Conn, son of Aedh Rua Lord of Tyrconnell, was famous for his "little great army" as he proudly called it ("fheadhain bhecc mhór,") "namely, twelve score axemen for making a standing fight and sixty horse to follow up the rout and take prisoners." But no force could rival that of Garret Mór, who was at once a palatine earl, a Gaelic "Rí," and viceroy for the Crown. As such he interfered in the wars of West and North in a way no "English Foreigner" had done for two centuries, and while this spread a Geraldine hegemony over all the island, it did also enforce a kind of central authority which apparently most of the combatants welcomed.

Thus in Tyrone he supported Conn Mór, his brother-in-law, against his rivals till in 1483 Henry, now aged, resigned his captaincy to his son Conn, and this brother-in-law of Garret Mór was enkinged at Tullahoge "by will of his father and of all Tír Eoghain."

[1] Dalton's *Drogheda* II. p. 160, quoting from a lost "Register of the Mayors of Drogheda."

[2] Report of Justice Luttrell in 1537: given in Richey's *Lectures* II. p. 29. "Coin bon" was "*coinmhe bona*" or "fundamental coign" as distinguished from "excess coign" which would be called "coinmhe bairr."

But now the fall of the House of York was to make a new age, not only for England, but for Ireland where the mediaeval mould was even more unbroken. On July 6, 1483, Richard the Third was crowned king, and soon after his nephews Edward and Richard disappeared. Richard's short reign allowed Irish Home Rule to reach its zenith. The King's only son, Edward, who died next year, was named Lieutenant, but Kildare's deputyship was confirmed and continued also under the next Lieutenant John de la Pole, Earl of Lincoln, Richard's nephew and heir to the Crown. An Irish parliament under Garret in 1485 enacted that the existing Chancellor, Treasurer, Chief Baron of the Exchequer, the Clerk of the Rolls, and the King's Sergeant should hold for life, and together with the Peers, might, according to the "Statute of FitzEmpress" elect a Chief Governor in time of vacancy.

The rule of Kildare showed his usual mixture of self-interest and statecraft. In 1481 Parliament empowered him to appoint receivers over two-thirds of all manors, rents, etc., of persistent absentees, and appropriate them to the defence of the land. Further, he was empowered to take possession of the vacant lands in Kildare and Carlow "namely, from Calveston to Carlow castle and thence to Leighlin bridge which the Earl had recovered from the Irish"—the absentee proprietors to forfeit all right if they did not make good their claim within six years. The result was that the Earl added vastly to his Kildare lordship in Wicklow, Carlow and the marches of Dublin, and, like the English landlord of his time, enclosed and appropriated land in every direction.[1]

To defend Carlow the Earl built a castle at Tristledermot "as a true means of causing the waste lands of Carlow to be inhabited by the English subjects." But the whole pretence of a "pure English land" was wearing very thin. Castledermot, Carlow, Leighlin, Bray, Trim in Meath and Collon and Siddan to the north, were

[1] Gilbert's *Viceroys* p. 409-10 for act of 1485; and *Reg. Alani* fol. 153, for act of 22 Ed. IV.

the outposts of the Pale, but in 1515, wrote Chief Justice Finglas, "all the King's subjects of the four shires be near hand Irish and wear their habits and use their tongue."

We cannot doubt, had Richard III. firmly established himself, that this ablest of the Yorkists would have set himself to the Reconquest of Ireland. But in his difficulties he still had to woo Irish hearts. In 1484 a special commissioner of his, Thomas Barret, one of the Connacht family of that name, and bishop of Annaghdown ("Enachdun") appeared in Ireland with letters royal to Kildare, Lords Barry and Roche of Munster, the Baron of Delvin and others in Meath, and Lords Bermingham, Barret and others of Connacht. Kildare was told that the King specially desired to recover his earldom of Ulster, and that he, Kildare, could the more aid in this "because the Great O'Neill, who now has and occupies the most part thereof, has married the Earl's sister, and for the sake of this marriage the King's Grace will incline to accept O'Neill into favour, as his brother King Edward before had his father and gave him his livery."

The Burkes, however, of Mayo and Clanrickard were not included in the letters addressed to the chief Anglo-Welsh of the west, and evidently they were regarded as usurpers on the King's Lordship of Connacht. In the charter which Richard gave to Galway city this same year (December, 1484), Clanrickard's rights of sovereignty over the city were expressly abolished, and the citizens were empowered to elect annually a Mayor and two baillifs.[1]

To conciliate James Earl of Desmond, still sore over his father's execution, was also part of the bishop's mission. Royal letters "to be showed to the King's cousin, the Earl of Desmond, and all other nobles and gentles of the land of Ireland" thanked Desmond for

[1] See Ellis *Letters illustrative of Eng. Hist.* I. pp. 122-4, for the bishop of Enachdun's mission. For the charter to Galway see Hardiman p. 69.

the manifold services and kindnesses done by the Earl's father to Richard of York, condemned the extortionate slaying of the late earl, promised all possible satisfaction in law, and tendered to the Earl an oath of allegiance. The earl is to be shown the King's pleasure that he shall not enter into marriage with any blood without the advice and knowledge of his Grace who will provide for him a wife of noble blood. The King desires also that the Earl shall renounce the wearing and usage of the Irish array and sends him by hands of the bishop a gown of cloth of gold, two doublets of velvet and crimson satin, hose, bonnets and other apparel, and the King's livery, namely a collar of gold with the White Boar of Warwick pendant from a collar of roses and suns." [1]

What the immediate results of Bishop Barret's mission were, we know not; but the general result was to strengthen the old devotion to the house of Richard of York who, says Stowe, " being sent to Ireland, won such favour among that people as could never be separated from him and his lineage."

But on August 21, 1485, at Bosworth Field the last Plantagenet " died a king," and Henry Tudor, whose claim to the Crown was the poorest since William the Conqueror, ascended the Throne. With Henry the Seventh began a totally new age; England declined to be any longer one great dynastic slaughter house, and accepted this uninspiring victor with his dubious claim. With a New Monarchy came a New Nobility, creations of Henry and his son, subservient to the King, selfish, unscrupulous and tyrannical to all beside. The true mediæval Baron was dead or all but dead, for the Star Chamber had yet to finish him off, on the battlefields of England or by the headsman's axe.

In Ireland the New Monarchy did not dawn for fifty years yet, the mediæval age went on, and the romance of the White Rose died hard among a tradition-loving

[1] Ellis *Letters op. cit.* I. pp. 122-4. Desmond was probably then contemplating marriage with Margaret O'Brien, contrary to the Kilkenny statutes and to the royal prerogative, and alarming to those who dreaded the hibernicization of the great lords.

race " which did ever, both English and Irish, desire to be ruled by great persons."

Garret of Kildare now had to consider the results for him of so thorough a revolution, which like most of the Old English he could not believe would endure, for was there not abundance of better blood alive than Henry's ?—such as John Earl of Lincoln, Edward of Warwick, son of George Duke of Clarence—perhaps even the Princes of the Tower ?

Henry anyway had too much on hand in England, and though he displaced Lincoln as Lord Lieutenant by his uncle Jasper Duke of Bedford, he confirmed Kildare as Deputy, and Garret remained the all-but-king of Ireland till 1492. It was obvious policy for Kildare to conciliate the Irish Butlers whom the new dynasty would obviously favour. He therefore effected a marriage between his sister Margaret and Sir Piers Rua. Margaret " the Great Countess " as she was called for her great and rather masculine gifts, lived to an advanced age in 1542 and saw the total ruin of her house. For the present at least, up till 1492, the two rival houses had peace.

For some twelve years Anglo-Ireland was the stage for successive attempts against the Tudor throne. Meanwhile the Gaelic chiefs exhibited almost total indifference to what went on in London and Dublin.

Since the middle of the century O'Donnell had fought a continuous war with Clanrickard, of which the battle of Glanog in 1469 had been the chief incident. Ulick " MacWilliam Uachtar," as the Irish called Clanrickard, dying in 1485, his son Ulick succeeded and as he was grandson of Conor O'Brien, who ruled Thomond till 1496 when Turloch " Gilla-duv," Conor's own brother, succeeded, he had the continued O'Brien support. This was the great quarrel in the West as that of Butler and Geraldine was in the South. In Ulster Conn Mór O'Neill was greatly weakened by a wicked brother, Henry, and other O'Neill *rig-domnas*. But Kildare exercised a weighty influence in the North, where Conn's infant children, Art, Brian and Conn, were his nephews. Of

these the first and the last became chiefs of Tyrone through his aid. But Garret interfered in the petty as well as the grand feuds, and the annals record his endless hostings. Thus in 1489, he interfered in Annaly, and divided the disputed chieftainry between two O'Farrells. The use of light guns, now for the first time seen in Ireland, gave him a striking force few could equal, as when in 1488, disdaining the customary siege, he broke down Balrath castle on its lord Mageoghegan of Westmeath.

In June, 1489, died Henry O'Neill whose long reign had begun with recognition by both Archbishop and King, and ended with the denization of his son in 1480. Conn Mór ruled till January, 1493, when his own brother Henry slew him and ruled Tyrone till 1498. Then succeeded another brother, Donal, till 1509, then Art, grandson of Eoghan, and Conn Mór's son, Art Óg, followed one another till 1519 when finally, after a long period of decline for the O'Neills, Conn "bacach" the Lame, youngest son of Conn Mór and Eleanor FitzGerald, was inaugurated king of Ulster and finally in 1541, surrendering his claim to the High Kingship of Tara, accepted Henry the Eighth as King of Ireland and was made Earl of Tyrone.

Meanwhile the first revolt of Anglo-Ireland against Henry Tudor took place in the south.

Early in 1487 a priest of Oxford, Richard Simons, brought to Dublin a boy of ten years or so, "a comely youth well favoured and not without some extraordinary dignity and grace of aspect," who he claimed was Edward Earl of Warwick, son of George of Clarence.[1] Historians have generally decided that the boy was really Lambert, a son of Thomas Simnel of Oxford, and that he was but a stalking horse for a plot intended to put on the Throne of England either John, Earl of Lincoln, or the real Edward of Warwick, then in the Tower. The Lords of Ireland decided that the lad was Warwick, and pledged

[1] Polydore Vergil thus describes Simnel. Professor Mary Hayden has an interesting study of "Lambert Simnel in Ireland" in *Studies* 1915, and another on Perkin Warbeck, as yet unpublished, both of which she has kindly allowed me to make use of.

their support to him at a meeting in Dublin attended by Del Palacio, archbishop of Armagh, Fitzsimons, archbishop of Dublin, the bishops of Meath, Cloyne and Kildare, Earl Garret himself and other peers.

The Earl of Lincoln now betook himself to the court of Flanders where Margaret, sister of Edward IV. and widow of Charles the Bold, stood by the White Rose with all her woman's heart. She hired two thousand German "lansknechts" under a famous captain, Martin Swartz, who landed in Dublin on May 5, 1487, along with the Earl of Lincoln. It was spread about that the prisoner in the Tower whom Henry had shown to the people as the true Warwick was "a boy whom the King had schooled to take the Earl of Warwick's name, to blind the eyes of simple folk and to defeat the lawful inheritour of the good Duke of Clarence, their [i.e., the Irish] countryman and protectour during his life." So on May 24, 1487, the "lad" whom almost all Ireland believed to be the true Prince was crowned King Edward VI. of England —"and he was surely an honorable boy to look upon"— with a golden circlet taken from a statue of the Blessed Virgin at St. Mary del Dam.

The Home Rule lords thus had got a king of their own. A government was instituted which—according to the acts of the Parliament of Drogheda 1495, which ordered all the records thereof to be destroyed—"dyde kepe courtes, parliaments and made styles and processes in the ladde's name." Only Waterford stood out boldly for King Henry and was besieged for six weeks in July-August by Sir Maurice, brother of the Earl of Desmond. The Butlers and the Butler towns, Kilkenny, Callan, Clonmel, Fethard, etc., took arms. The Yorkist cause, though dominant in Ireland, had moreover to stand the test of battle in England.

Early in June the combined army landed at Furness, and at Stoke near Newark on June 16, 1487, the ordered valour of the Germans and the desperate courage of the Irish were shown in vain, and the leaders, Swartz, Lincoln, Thomas FitzGerald of Laccagh, brother of the

Earl of Kildare, and Edward Plunket died along with their men after a battle in which says the Book of Howth —" they fought very valiant on both sides, for that Allmaynes [i.e., because the Germans] wear very good and apt soildoures and so wear their captens. The Irishmen did as well as anie naked [unarmoured] men would do, and at length they wear slaine about 4,000 and more." [1]

The end of the poor " ladde," captured in the battle, was to be a scullion in Henry's kitchen. It was impossible to punish his Irish supporters, and after the Pope, who was quite convinced of Henry's hereditary right to the Crown, had issued a Bull in January, 1488, against the Irish bishops who had crowned Lambert, the King pardoned Kildare and left him in the Deputyship.

Meanwhile, in December 1487, James Earl of Desmond was murdered at Rathkeale by instigation of his brother Sir John, and was succeeded by his second brother Maurice " bacach " the Lame, who put John to death and reigned till 1520.

Henry now sent over a commissioner, Sir Richard Edgecomb, to bring the Irish lords to their allegiance. Arriving at Kinsale with five hundred men on June 27, 1488, Edgecomb took the allegiance of Lords Courcy and Barry, and so by Waterford came to Dublin where he lodged at St. Saviour's on July the 5th. Kildare, scorning a mere knight, did not arrive till July 12, and, taking up his quarters at St. Thomas', for nine days along with the assembled lords stood firm against an oath of fealty which would make their lands forfeit should they again rebel, " whereat they declared with one voice they would sooner turn Irish every one." Finally however on July 21, the Lords spiritual and temporal, assembled at St. Thomas' abbey, swore allegiance, whereupon a full pardon was proclaimed under the Great Seal to Kildare and the forty or more

[1] *Book of Howth* pp. 473-4.

chief supporters of Simnel. On July 30, Edgecomb sailed for England.[1]

In the late autumn of 1491 there arrived at Cork in a trading ship from Lisbon, a handsome youth of seventeen under care of a Devonshire man, John Taylor, formerly a servant of King Edward. According to Margaret of Burgundy, a few English Yorkists, Charles VIII. of France, the Emperor Maximilian and later James IV. of Scotland—for the ring was now wider than ever—the youth was Richard, King Edward's second son, escaped from the Tower. To Henry's supporters he was Perkin Warbeck or Osbeck of Tournai, an impostor.

The Irish at least believed him to be Prince Richard and a large party, not less formidable than that of 1487, declared for him, led by John Waters mayor of Cork, Maurice, Earl of Desmond, lords Barry, Roche and Courcy, the White Knight and the Knights of Glin and Kerry, David Creagh, archbishop of Cashel, and the bishops of Waterford and Cork-Cloyne. This time Munster was the seat of the movement and Desmond the leader.

After a short stay, Warbeck departed from Ireland for France and Flanders, where Maximilian recognised him King of England, and did not return to Ireland till 1495.

Henry's keen eye realised fully the Irish danger. In June, 1492, he removed Kildare and made Fitz-Simons, archbishop of Dublin, and then William Preston, Lord Gormanston, Deputy. In the same month of June, 1492, Henry also sent over, as Treasurer of Ireland, Sir James Butler, called " Dubh " or the black, an illegitimate son of John Earl of Ormond by O'Brien's daughter. The present Earl, Thomas, also made James guardian of his Irish lands and the latter was clearly expected to work up the Butler and royalist cause in Ireland. Sir

[1] The chief of those pardoned were Kildare, Portlester, Lords Slane, Gormanston, Howth, Dunsany, and the prelates of Meath, Kildare, Dublin. Nearly all are Anglo-Irish. Harris *Coll.*: IV. pp. 389-90. Edgecomb's Voyage is found in a *MS.* of *T. C. D.* and given in Harris *Hibernica*, Part I.

Piers, who looked on himself as Thomas's heir, naturally resented this newcomer and swung over to Garret Mór, while Roland Lord Portlester, Kildare's father-in-law, was angered by his removal from the Treasurership which he had held on and off for forty years. Sir James however showed great courage and tenacity, brought in Kavanagh and O'Brien allies against Sir Piers and the Geraldines and planned to become the next earl of Ormond.[1]

Bitterly piqued, Kildare turned to aid " the French lad " and seems to have plotted bringing in the King of Scots. In July, 1495, his ally, Aedh Rua O'Donnell " went to the house of the King of Scotland and they formed a compact and league to assist one another mutually in their need." Scottish state accounts record a visit of " the Great O'Donnell " to James at Edinburgh, and the Scots King hesitated whether to invade England or Ulster in the Yorkist cause.[2]

But nothing came of the compact, and immediately on his return from Scotland on August the 7th, Aedh marched from Donegal town to assist his son Conn against O'Conor Sligo, who was in revolt against O'Donnell suzerainty and on this occasion, backed by Ulick of Clanrickard, did recover Sligo castle and defy Tyrconnell.

There now arrived at Howth on October 13, 1494, as Deputy to the new Lieutenant Prince Henry, a governor whose advent gave the later headline to the Tudor Reconquest. The new type of servant to the new type of King, Sir Edward Poynings had the will, if not the power, to crush " the overmighty subjects " of Ireland. But with his petty force of a thousand men, he could only do what he did, namely, to annul the Home Rule triumphs of a century.

To replace the Anglo-Irish, Poynings brought with him one Englishman for Chancellor, another for Treasurer, and others as the two Chief Justices of Common Pleas

[1] Gilbert *Viceroys* corrects Carte as regards the parentage of Sir James Dubh.

[2] Tytler *Hist. of Scotland* IV. c. 3., and *F. M.* 1495.

and King's Bench, and Chief Baron of the Exchequer, the names of the two first being Henry Deane, bishop of Bangor, and Sir Hugh Conway, while William Hatteclyffe came as Sub-treasurer and financial expert.

One step in the way of "Thorough" was to raid the Northern chiefs who held the King's earldom there, and Poynings made an expedition against O'Hanlon and Magennis, the Earl of Kildare being with him and gravely suspect, and so back along the Barrow where Sir James FitzGerald, Garret's brother, defied the Deputy and held the castle of Carlow against him till forced to surrender.

The next step was to bring down "the King of Kildare" himself.

A parliament was summoned to Drogheda on December 1, 1494, and its first proceeding was to attaint Earl Garret "for treason and rebellion, taking coign and livery in the English shires, inciting Irish enemies and English rebels to war against the King and his Deputy, and agreeing with the King of Scots to send an army into Ireland to aid him and Desmond to the destruction of the Deputy and all true subjects."[1]

It certainly was a packed house which thus could impeach the greatest man in Ireland. After some resistance, the Earl was arrested in Dublin on February 27, 1495, and on March 5 was sent to England and lodged in the Tower.

Poynings' commission was to reduce the Lordship of Ireland to "whole and perfect obedience" and to suppress those who practised on "the innocent and true English subjects, great and divers robberies, murders, burnings, and the universal intolerable and damnable extortions of coign, livery and pay." For this purpose, the Lord of Ireland went back to the rights he had in 1327, when the First Conquest began to be undone. An act of this obsequious parliament revoked every royal

[1] For the acts of this famous "Poynings' parliament" see *Statutes of Ireland* (1786), p. 43, *seq.* The attainder of Kildare was on the Monday next after St. Andrew's Day (which falls on November 30). It is significant that the acts are in English for the first time since the Irish parliament began.

grant made during a hundred and sixty eight years. The Lord of Ireland repented him that he had ever created earls of Ormond, Desmond and Kildare, and other lords of Liberties.

So far as Sovereignty could be restored by acts of Parliament it was now done. The Crown resumed the judgment of treason and rebellion, the command of the royal castles (now shrunk to eight), the choice of officials, and the control of the legislative body.[1] The Chancellor, Treasurer and other chief officers, who by custom and an act of 1485 had formerly held for life, were henceforth to hold only at the King's will and pleasure. The act of the parliament of 1460 " that no writ of treason under the Great or Privy Seal, nor letters missive out of England, shall be of effect in the land of Ireland " was repealed—" which said pretensed and unlawful prescription was approved, ratified and confirmed by authority of parliament late holden within the said land, before Richard, Duke of York, being then in rebellion and pretending himself Lieutenant of the land of Ireland." Henceforth such English writs should be of force.

To break the power which an almost hereditary Deputy had assumed, the " Statute of FitzEmpress " was annulled, and in future the Treasurer should fill up the office in a vacancy till the royal pleasure were known. The Guild of St. George, which gave Kildare a royal bodyguard, was dissolved.

But the most memorable and lasting acts of this parliament were the fourth and twenty-second, generally associated together as " Poynings' law." The former states that no parliament shall be held in Ireland " till the Lieutenant and Council of Ireland shall first certify the King under the Great Seal of such causes, acts, etc. as them seemeth should pass ; then the King and his (English) Council, after affirming such causes etc to be good and expedient for the said land, shall send his

[1] Cap. XIV. says English-born men are to be constables of Dublin, Trim, Leixlip, Athlone, Wicklow, Greencastle, Carlingford, and Carrickfergus castles.

licence thereupon, as well in affirmation of the said causes and acts as to summon the said parliament under his Great Seal of England : that done, a parliament shall be holden after the form and effect afore rehearsed—any parliament to be holden hereafter contrary to these forms to be void and of no effect." The twenty-second declares that " all statutes concerning the public weal, made within the realm of England as well in the time of our Lord the King as in the time of his progenitors, Kings of England, be by authority of this present parliament, deemed good and effectual in law and be accepted and used within this land of Ireland."

Thus was wiped out fifty years of Home Rule. The fourth act rendered it impossible for a native Deputy to make a parliament his creature or for that parliament to offer a native earl, a Yorkist claimant, a Scottish or French king, the Crown of Ireland. If the King of England could secure a line of English viceroys, then a double authority, beyond Ireland's control, would decide what laws might be passed for Ireland, namely, the King in his Privy Council and the Crown-appointed Deputy and Council of Ireland.

But it was clearly not intended that the Parliament of England had power to bind Ireland. The Tudors did not intend to share the throne with Parliament either in England or in Ireland. Holding their Imperial crown of God alone, they regarded their Lordship of Ireland as annexed to that Imperial crown but otherwise a sister and equal of the Realm of England. The " acts concerning the public weal " made in England for an indefinite time back were only extended to Ireland by ratification of the Irish Estates. The whole wording implied that any future act of the English legislative to be effective in Ireland must be ratified here, and that, for purposes of internal law, taxation, and government the Parliament of Ireland was within the land of Ireland, and subject to the royal veto, supreme.

Poynings' work was completed and crowned by Henry the Eighth's assumption of the Crown of Ireland in 1541, and it is to the two first Tudors that we owe the Kingdom

of Ireland with its full machinery of self-government as it existed till that Kingdom ceased to be.

Other acts strove to recall the "English of Ireland" to English law, speech and loyalty. The great warcries, so often heard in battles of Butler, Burke and Geraldine—"Cromabu," "Butler abu" etc—were forbidden. No one, following Brehon custom, should take money or amends for the death or murder of his friend or kinsman other than the King's laws allow. The statutes of Kilkenny were re-enacted, but as a commentary on their futility—for by now even the four shires spoke Irish—it was added—"those that will, that every subject ride in a saddle and those that speak of the Irish language, alone excepted."

The Pale having dwindled to the nearer areas of counties Meath, Louth, Dublin and Kildare, it was ordered that the inhabitants of the same, from the Annaliffey to "the mountain of Kildare" and from the Liffey again to Trim and so to Meath and Uriel (Louth) should make and build a double ditch of six feet high above ground on the part "which mereth next unto Irishmen" The object of course was to prevent reivers driving cattle out of the Pale since cattle could not pass such a stockade at night, when reivers, English and Irish, were most abroad.[1] A political tract of 1515 gives Dundalk, Derver, Ardee, Siddan, Kells, Dangan, Kilcock, Clane,

[1] For the actual wording see Richey *Lectures on Irish History* (1869) p. 212. The "mountain of Kildare" would seem to be the highest point there, now called Grange Hill (744 feet). The bounds of the "Maghery" (Plain) or Pale in the early 16th century are given thus in Alan's *Register* fol. 156 (original in Diocesan office, Dublin): "Bounds of the Maghery within the four obedient shires—Ballybothir (Booterstown), Merrion, Tallaght, Belgard, Saggard, Newcastle Lyons, to Castlewaring, and so by the mountain to Ballymore [Eustace] and there [the line] joins Avenliffey, and so as the Liffey runs to Clane and Maynan and so to the water of Rye by Kilcock also Ballyfeghane, and so to Laracor and Bedloweston and so as the Blackwater runs to Athboy and so to Blackcausey by Rathmore to the hill of Lyde, thence to Muldagheheghe and the parish of Teltown and Donapatrick and Clongall and so to Siddan and down to Mandoweston by west (of) Ardee and so to the water of Dongowgyen and so as the water goeth to the sea." The line therefore rested on these points: south Dublin Bay, the modern road to Blessington, the upper Liffey, Clane, Kilcock and Laracor in Kildare, and so by Trim to Athboy in Meath, then to Mullagh and so turning eastward to Ardee finally reaching Dundalk bay.

Naas, Kilcullen, Ballymore-Eustace, Rathmore, Rathcoole, Tallaght and Dalkey as the then frontier towns of the Pale, which actually dwindled even after 1495.[1]

Thus a territory only fifty miles long by thirty broad now represented "the land of law," the old "English land" which in 1366 had embraced at least ten shires. And though it was said to "mere upon Irishmen" actually, though MacMahons in the north and O'Byrnes in the south menaced it, almost everywhere the "March English" were the immediate foes of its peace. Most of Kildare's land lay outside it; on the Meath side Nugents, Petits, Berminghams and others of De Lacy's men were the enemy; and, south of Dublin, the hill country but a few miles away was held against the Common law by Harolds, Walshes and Archbolds, with the O'Tooles and O'Byrnes behind them.[2]

Parliament ended, Poynings stayed in Ireland till January, 1496, maintaining a small but effective body of trained English soldiery, and through Hatteclyffe enquiring into the woefully shrunken finances of the Lordship of Ireland. This English financial expert found that the subsidy which the seventeen baronies of the old earldom of Meath paid, or used to pay, on its two hundred and thirty six carucates of geldable land, (viz., some 33,000 acres of cultivated land) came with a clerical grant to £457 odd, that Dublin county, taxed on a hundred and fifty-four carucates, should pay £454 odd; that Kildare and Louth were the only two other counties which could, or would, meet the demands of the State, and that the total parliamentary subsidy on lay and cleric of the Pale, reached at best only £1,293 13s. 4d.[3]

[1] Quoted by Philip Wilson *Beginnings of Mod. Ireland* p. 43.

[2] An act (in French) of the Irish parliament in 1470 says: as the barony of Newcastle is in the March of the County of Dublin in "Harold's country" below the mountains there, which country is in rebellion, and as no man dares to go there to distrain for any subsidy granted by parliament . . . it is ordained that the collectors in said barony be discharged from the duty of collecting current subsidies in Harold's country, which extends from Saggard to Kilmashogue.

[3] Gilbert's *Viceroys* App. p. 610 gives the accounts of Poynings' force, commanded by Captain Garth, for which Poynings' parliament voted a benevolence of £454. The subsidy accounts I derive from a survey of Hatteclyffe's *Compotus* in *Britt. Mus. MS. Reg.* 18. C. XIV.

The royal manors in the Vale of Liffey, Crumlin, Chapelizod, Leixlip, Saggart, Newcastle and Esker, with Trim and six others, yielded only £134 13s. 4d. in the year. A shameful feature for royal pride was the fees or blackrents paid to Irish chiefs out of a depleted Treasury, such as £106 odd paid to "MacMurro captain of his nation" and £40 to O'Conor Faly.[1]

In July, 1495, Warbeck landed at Cork and with eleven ships besieged Waterford while Desmond blockaded it by land. From July 23 to August 4 the "urbs intacta" held out, till Poynings arrived from Dublin, when Warbeck threw up the game and sailed for Scotland where James gave the "White Rose prince of York" his own cousin, Lady Catherine Gordon, to wife.

Meanwhile Henry of England found that only Kildare could govern Ireland, so Parliament annulled Garret's attainder and he was restored to the Deputyship on August 6, 1496, and held it till his death. Further, as Alison FitzEustace had lately died, Henry gave in marriage to the Earl his cousin Elizabeth St. John.

On August 26, 1496, Henry issued a general pardon to Warbeck's supporters, from Kildare and Desmond down, and so with a contemptuous tolerance, which along with his "they will crown apes next" must have stung deep, took into grace and restored to power that Irish noblesse which still hoped to see the true House of England restored.[2]

Again in July, 1497, Warbeck with his wife and infant children arrived at Cork, but the troubled waters would stir no more, and embarking for England his enterprise came there to a miserable end. Surrendering to the royal grace, he was at last in November, 1499, executed at Tyburn with John Waters, and five days

[1] Among the Black rents paid to Irish chiefs we find Lecale paying to the Clannaboy O'Neill £20 p. a., County Louth to O'Neill of Tyrone £40; Meath and Kildare to O'Conor Faly £80; Kilkenny and Tipperary to O'Carroll £40; County Limerick to O'Brien £40; while MacMurchada got £53 from the Exchequer and £40 from County Wexford—(see Davies' *Discovery*).

[2] *Lib. Mun.* I. pt. IV. p. 102: *pardonatio pro hibernicis.*

later Clarence's only son Edward of Warwick was beheaded. Yorkist hope in Ireland, if hope there was, had to feed on other sprigs of the Plantagenet blood.

But the time for "great chieftains of lineage" was nearly over and Garret of Kildare had the sense to perceive that a new age was come. Even in Scotland the Crown dared to lop off the noblest heads, and in 1499, the *Annals of Ulster* record with horror, "a deed was done by the King of Scots, namely John Mór MacDonnell, king of the Hebrides, and John Cathanach his son and two other sons of his, were hanged on one gallows a month before Lammas." Now, if James of Scotland could thus ignominiously extinguish the MacDonnell "kings of Innsi Gall" or Lords of the Isles as they were in English, whose blood and title went back to the Norse-Gael Sumerled of 1160, no doubt but a King of England would ere long overthrow a Percy in Northumbria, a Kildare in Leinster and an O'Neill in Ulster.

Yet Poynings had only touched the fringe of that Norman-Gaelic Ireland which took the Tudor monarchy a whole century to reduce to English law and obedience. Till the revolt of Silken Thomas in 1534 nothing essentially seemed changed: then Leinster fell to the Crown; but till 1576 Munster, till 1585 Connacht, till 1603 Ulster, were in governance, law, speech practically feudal-Gaelic as in 1494. What had been gained was a sally-port for an English reconquest in eastern Ireland, a lightening of the aristocratic yoke, a releasing of that long-stifled voice of the "true English commons" who looked to the Crown against Irish enemies and English rebels.

Actually Poynings' acts aided Kildare rather than otherwise, an unexpected effect, for while formerly he had played the role of a rebel or semi-rebel at the head of a sovereign Parliament which might have gone too far for him, he was now left master of Ireland with King Henry's full approval, and a crippled parliament, fully at his control, left him free to pursue his private designs.

More than ever, Garret dominated Old English and

Irish. With subtle skill he kept Butlers and Geraldines at peace, and backed Piers Rua against Sir James Duv till Piers slew his rival in an encounter between Dunmore and Kilkenny on July 17, 1497.

Garret's hostings into Desmond, Connacht and Ulster were constant and imposing. But they led to no great piece of state-craft, such as would have been the submission of the greater Irish chiefs to English law or their conversion into Peers and barons under the Crown. Kildare was in fact what the Irish thought a true " Rí " and the Old English a great lord, splendid, imposing and affluent, ever visible in hall to his subjects and in the field to his enemies, a patron too of those bards and *senchaidhe* whom both Irish and English now delighted to honour. Garret doubtless believed himself to be nursing a second realm for the True King when he should appear,who, once the rightful blood was restored, would richly reward Ireland and Kildare.

Conn Mór O'Neill having been slain by his younger brother Henry on January 8, 1493, Aedh O'Donnell set up a third brother, Donal, who was older than Henry, and a battle was fought at Glasdrummond near Dungannon on June 28 where Donal was defeated, and Raghnall MacDonnell, Constable of galloglass, with his three sons and four others of his name were slain. Henry held the kingdom till on July 21, 1498, at Tuath-Echadha near Armagh, Turloch and Conn, sons of Conn Mór and nephews of the earl of Kildare,avenged the murder of their father on him. On Henry's death Donal was re-instated by Garret Mór then Deputy, who joined with Aedh Rua O'Donnell, the sons of Conn Mór, John Maguire, " and very many of the Gaedhil of the South " and at the end of October took the castle of Dungannon from Henry's men with a new weapon, those great guns, whose black muzzles, we may say, were finally to prove the ruin alike of Norman and Gaelic chiefs.[1]

[1] Big guns were used first in Ireland at the siege of Waterford in 1495.

Donal ruled Tyrone till his death in January, 1509, and was succeeded by Art grandson of Eoghan.

This was only one of the triumphs that marked Aedh Rua O'Donnell's later career. In 1496 he nominated an O'Doherty as chief of Inishowen. In 1499 he went into the Pale to meet Earl Garret and the latter gave him his son Henry to foster. Then Garret made a great hosting through Connacht, and to show what his new guns could do, took the four castles of Athleague, Tulsk, Roscommon and Castlereagh.

During these years, King Henry left Kildare almost a free hand. In 1503 Garret was summoned to London whither he sailed on April 30, and returned in the autumn with great honour.

The activities of the Earl, and the confederacy-wars of the Irish and Norman chiefs finally culminated in the greatest and fiercest battle that had been fought in Ireland since Faughart. Ulick Burke, Lord of Clanrickard, who was married to Kildare's daughter, Eustasia, had illtreated her ; he had taken three castles on Melachlin O'Kelly of Hy Many, who went to Garret to complain ; he had also occupied Galway town, and anyway he was the life-long foe of O'Donnell who was Kildare's ally and friend. Therefore in 1504 both sides mustered for a fight which brought in half of Ireland under one banner or the other. The Earl, who thought also to please King Henry by chastising the usurping Burkes, was backed by the aged Aedh Rua O'Donnell, O'Conor Rua, MacDermot, the Irish of Ulster led by Art O'Neill, Kildare's nephew, O'Reilly, O'Farrell, O'Kelly, the Mayo Burke, many English of the Pale and O'Conor Faly. To Clanrickard rallied Turloch son of Taig O'Brien, O'Carroll and the chiefs of Ormond. The two armies met at Cnoc Tuagh, now Knocktoe, eight miles east of Galway on August 19, 1504, and never since the Conquest had Irish armies presented so formidable an array or fought so desperately. The galloglass who were now the core of Irish armies bore the whole brunt : of Clanrickard's nine battalions of these fighting men only one thin

battalion escaped alive, and the battle went completely against De Burgo and his Thomond and Munster allies. If the Book of Howth speaks true, the old hate of English against Irish divided even the victors, and Lord Gormanston said to Earl Garret after the slaughter "we have for the most part killed our enemies, and if we do the like with the Irishmen that are with us, it were a good deed." [1]

Next day Kildare and O'Donnell entered Galway and then Athenry and so returned home.

Stirring as a mere battle though it is, Knocktoe was after all only the final explosion of feuds which had gone on for half a century among the Western lords. It was, in the eyes of the Gaelic annalists, a war of province against province such as earlier history had often recorded, a triumph of Leinster and Ulster over the Connachtmen and the Momonians. To Kildare in his more English mind it was the crushing of a great rival, a rebel rather against the Geraldine hegemony than against the English king. It is certain that with the prestige of his name and with such forces as he mustered against his fellow English and Irish at Cnoc Tuagh, Earl Garret could have destroyed England's petty forces in Ireland and made himself a King. But he was not of the Bruces and Vasas of History. To be actual Lord of Ireland, while a Henry had the name, was enough for this subtle and self-ambitious man, and the Old English of whom he was the Head and the type preferred their "middle nation" autonomy under an Absentee Crown to all that Independence could offer.

In July, 1505, died Aedh Rua O'Donnell after a reign of forty four years and in his seventy-eighth year. He is described as "Lord of Connacht from the Mountain down (i.e., from Boyle northwards to the Erne), and the

[1] *Ann. Ult.* and *F. M.* 1504 and *Book of Howth* which makes a spirited epic of the battle. If as is generally stated a "battle" of galloglass was 200, then the core of Clanrickard's army consisted of 1800 galloglaigh. The O'Donnell-Kildare alliance against O'Brien-Clanrickard continued till Garret's death and in 1510 the Earl suffered defeat at Móin-na-mBrathair near Limerick when invading O'Brien's country.

rent of Inishowen and the bonnacht of Cenel Moen were due to him." It is certain that the O'Donnell power over Fermanagh and North Connacht as well as over Tyrconnell, which took over a century to break, was built up by Aedh who made the Cenel Conaill at least the equals of the O'Neills.

His son Aedh Óg was proclaimed king after the old fasion at Kilmacrenan on August 2 that year.

Kildare had some nine years yet of life and fame after Knocktoe. The accession of Henry VIII. in April 1509 made no difference to this real King of Ireland, for Henry, not yet eighteen years of age, was much too full of exuberant youth and a desire to shine in tourney and war with the princes of Europe, to care who ruled Ireland.

The Great Earl's latter years were filled with marches into Munster, Connacht and the Midlands, succouring his allies and enforcing a rough justice among English and Irish. Meanwhile his ally Aedh Óg O'Donnell had shown himself as a great Irish lord at Rome—whither he went on pilgrimage in 1510, and received great favors from the Pope—and in Henry's court, for he spent four months in London in going and four in returning from Rome, and was knighted by King Henry in February, 1511. The Ulster record impressively that he was able, " in the midst of his age and power, in despite of every one," to leave Tyrconnell for a year and a half. Certainly this would have been a dangerous course in earlier times, and we see in these latter O'Donnells, who visit Edinburgh, Rome, London, Dublin and are received everywhere as great lords, a type of chieftain, far removed from the elective patriarch of old even though the traditional " enkinging " gave them their primary authority.[1]

Finally, in an affray near Kilkea with the O'Mores whose country he had brought into subjection, Earl Garret received a death wound and died September 3, 1513.

[1] *Ann. Ult.* and *F. M.* 1510-11. Hall's *Chronicle* states that " a great man or lord of Ireland called O'Donnell " was knighted by Henry VIII. on Feb. 13, 1511 (see Ellis *Letters op. cit. Ser.* I. 1. 186).

It was a great and critical moment in the history of the Three Kingdoms and once again England's luck prevailed. James IV. of Scotland, Henry's enemy, had thought of attacking England through Ireland. O'Donnell had been at this court and could Earl Garret have been brought in, it is possible that Ireland might have had a Scottish sovereign again as in 1315 or Kildare have taken the actual title of King. But just as James decided to invade England, the greatest man in Ireland died; on September 9 the King of Scots with all his chivalry was slain at Flodden Field, and Kildare's ally, Aedh O'Donnell who could have roused Ulster could only write to Henry on January 12 1514, from his manor of Donegal, and explain that he had had no sinister designs in visiting the Scottish king.[1]

The vast estates and lordships, English, Irish, feudal, legal, and usurped, which Garret Mór handed on to his son Gerald, a man quite as great who carried the burden of his power very skilfully till his death in 1534, are detailed in the Red Book which was drawn up under him about 1503, and continued in the Rental of his son.[2]

Kildare's lordship, so great in North Leinster, included also Adare and Croom, manors of the old Geraldine origins in Limerick. The absence of English claimants, the concession by King and parliament of "lands waste and occupied by the Irish," the surrender by the Old English of their lands to the Earl, the process of indenture and vassalage by which English and Irish alike sought the protection and good will of Kildare, and the survival or resurgence of Irish custom in lands once Norman-feudal, all enabled this great House to weld round its nucleus in Kildare a vast, if ill-compacted, princedom such as no subject of the Crown enjoyed. Indentures of

[1] Ellis *ibid.* 224-5. Under 1513 *Ann. Ult.* record "O'Donnell went with a small force to Scotland at invitation by letters of the King . . . and after spending a quarter of a year there with the King, and having changed the King's intent to go to Ireland, he came home safe to his own house."

[2] *Rentals of the Earls of Kildare*, in *Kilkenny Arch. Soc. Journal* 1858-9 and 1862 3 ed. H. F. Hore: also calendared in *Hist. MSS. Comm. 9th Report* Pt. II. XXXVII. 1883.

commendation and suzerainty, going back to 1318, bound to the Earl the Berminghams of Carbery, the O'Kellys of Hy Many, the Foxes, Macgeoghegans, and O'Demsys of the Midlands. The entries called " Therll of Kyldar's duties upon Irishmen " are sometimes the work of later earls, but many of them are of Garret Mór's time and earlier. They embrace military duties, tributes in kine and money, money atonements for crimes called in Irish " cáin " " eric " and the like, and extend over MacMurchada's country, Hy Kinsella, Macgeoghegan's country, and MacGillapatraic, O'Byrne, O'More and chiefs further afield. Murchad (" Morgh Ballagh ") MacMurchada, whom Dowling calls " *Rex Lagenie* " and who died in 1512, paid to the Earl fourpence every Michaelmas upon every head of cows on certain townlands. Irish words such as " tuath " etc., stud these curious pages and there are a few Irish agreements such as that by which Garret Mór got the castle of Killtobber from Macgeoghegan on condition he would force the O'Conors of Offaly to make peace with Macgeoghegan. A partiality for Irish " literati " shows itself—lands in Cromlin and Ballysallogh are let to Teig O'Rono and Dermot O'Cofy, " rimors." In 1500 an Irish bard came in the name of two O'Reillys to the Earl to say that the two chiefs had put themselves under " slantyacht " or protection of the earl, and if they invade one another's property, he that breaks the peace shall pay a fine—this is signed by the bard and a servant of O'Reilly, and by five Old English, namely Delahyde, FitzJames, Tuyt, Rothe and Hussey. Everywhere the earl had rights of military service and to cess horsemen ; and the armed forces at his disposal, had he called out the whole ban, would have been imposing in numbers if not of the finest quality. Garret was the true " Ard Rí " of a large part of Ireland, and the chiefs to whom he presented the horses, coats of mail, gorgets and pisans recorded in the Rental looked on these as the customary " stipends " due from an over-king.

Garret was happy in the moment of his death. It

was in 1513 that Wolsey first gained all the ear of Henry VIII., and till his fall in 1529 this great minister ceased not to inveigh against Garret Óg and urge upon the King the overthrow of the "King of Kildare," a subject far mightier in Ireland than the Crown. Then in 1515 Earl Thomas of Ormond died, and his rights went to his grandson Thomas Boleyn. Piers Rua Butler, content with the hope of a new earldom of Ossory, came out openly against the new Earl of Kildare, and later Anne Boleyn threw a true woman's spite into the vendetta which had waged for sixty years between Ormond and Kildare. The combination of these foes wrought the ruin of the House of Kildare in 1534, in spite of all the skill and patience of Garret Óg, and though Henry VIII. determined that "Ireland should be governed" by sober waies, politique drifts, and amiable perswasions "it was not till the All-but-Kingship of Kildare perished with Silken Thomas and five of his uncles on the scaffold at Tyburn in February 1537.

CHAPTER XV.

VIEW AND REVIEW OF IRELAND *circa* 1500.

THE Ireland which Strongbow entered in 1170, though in many ways and for many reasons isolated from Europe, had already felt the pressure of those great forces which were re-making 12th century Europe, the Reform in the Church, the development of State monarchy, and less calculable changes in the field of art and thought. Then suddenly broke in the Cambro-Normans, and next, in the breach made by their swords, entered the Angevin Monarchy of England. Henceforth for good or evil, there was a new Ireland, and though the Celtic revival in some ways restored the old order, its real day was over, and by 1500 the Gaelic princes themselves ceased to look back to the Monarchy of Tara.

For into the Ireland of 1500 were already entering the forces of the new, the Renaissance, Europe. The New Monarchy of the Tudors had taken its first hold. In the brief spell of 1450 to 1530 while Ireland was ruled by an native aristocracy, she progressed in art and literature, in the amenities and luxuries of life.

We have shown what a flaw in the Anglo-Irish state was the absence of an University and of the higher education. Yet it seemed as if the great lords of this time meant to put the land of Ireland on an honourable level with other lands. Thomas, Earl of Desmond, in 1464, founded at Youghal a college which had a true existence for most of a century. The project of a *Studium generale* for the colony at Drogheda, broached at the parliament of 1465, unhappily came to nothing. But even Bikenor's foundation of an university at Dublin in 1320, though it had a transitory and vague existence, and unlike Youghal has left no recorded buildings, did

in a sense continue to exist, and might, with any slight good fortune, have anticipated Elizabeth's University. Thus Archbishop Alan's Register records that at a Provincial Synod held at Christ Church Cathedral in 1494 under Archbishop Walter Fitszimons, certain sums were voted by the suffragan sees of Dublin for the support of lectures in the University, for a term of seven years, the total annually from five sees being some £27, a trifling endowment certainly but which, with others not recorded, must have kept a certain life in the "domus scholarum" of the capital.[1]

It was the great Earls however, who were now the head and hope of Irish, and even of Gaelic culture. Garret Mór aspired to have on his lands a college as notable as that of his cousin Desmond at Youghal. Though he himself did not live to see it done, yet before his death he assigned certain lands to endow a college at Maynooth, dedicated to the Blessed Virgin. In 1515, at the Earl's request, Henry VIII. granted him leave to found a "perpetual College" consisting of six chaplains, of whom one was to be master, and two clerks to celebrate Masses for the souls of the founder and his ancestors; the eight to form a college of the Blessed Virgin, and to be a corporate body for ever. The Archbishop of Dublin confirmed the foundation, and Earl Garret Óg built a beautiful chapel and endowed the college which flourished for some twenty years, but was dissolved and surrendered to the Crown in 1541.

To these foundations we may add Kilkenny School, founded by Piers Rua, Earl first of Ossory and then of

[1] *Reg. Alani* (original in Diocesan office, Dublin), fol. 105b. The document (latin) states that at the said Provincial Council it was ordained that the "*generalis universitas Dublinie*" should be regulated, and for the sustenance and support of lectures there (*lectorum inibi legentium*) and in order that lectures might be continued there in certain faculties, it was granted for a term of seven years that the Archbishop, his chapter and clergy should pay annually £10, the bishop of Ossory etc. £5, Ferns £5, Leighlin and Kildare five marks each. A provincial synod is recorded at Christchurch in March, 1494, under FitzSimons (*Cal. Christchurch deeds*: 20th *Rep. D. K.* no. 361).

Ormond, early in this century; a school which had a famous history and produced many famous men.[1]

A notable Anglo-French civilisation had flourished ever since the Conquest around Kilkenny, the capital of the Ormond Earls. It is true that from early times they spoke Irish. The third Earl was interpreter for MacMurchada and the other Irish kings in 1395. But the Ormonds were the most English of the First Families. Piers Rua, though since Edmund MacRichard, his grandsire, the family sympathy for Gaelic things had been pronounced, followed the earlier tradition, and with his Grammar school at Kilkenny welcomed the Tudor peace as an opportunity to bring in foreign refinements. His Fitzgerald wife, the great Countess, was the inspirer of this war-like earl. Together they introduced into Kilkenny Flemish weavers of carpets and tapestry, some of whose work survives at the Castle there, though unhappily the later troubles did not allow the colony to survive.[2]

The Kildare Earls, though more pro-Ireland than the Butlers, and less Gaelicized than the Desmonds, showed a generous sympathy for the three cultures of Ireland, and the three spoken languages on which they rested, namely Irish, French and English. The ninth Earl's library at Maynooth contained 112 parchment books, a very considerable collection for those times, many of which had belonged to Garret Mōr. Of these, 34 were Latin, 36 French, 20 Irish, and 22 English.[3]

We have dealt with the effects of the continued absence of the Crown. One of the greatest of these was the growth on a vast scale of Lordship expressed in land-power and man-power. "The Lion himself came not to the hunt" says Davies, "but left the prey to the inferior beasts." Ravenously did the First Families fall upon the spoil, and since the Crown would neither come with a new Plantation, nor compel the absentees to return

[1] *Nat. Facs.* III. pl. XVIII. and Corcoran *State policy in Irish education* p. 45.

[2] See *Nat. Facs.* III. plate LXXI.-III; Ledwich *Hist. of Kilkenny* and Healy *Hist. of Kilkenny* 1 p. 376 etc.

[3] O'Grady *Cat. Irish MSS. in Brit. Mus.* p. 154. *Nat. Facs.* III. pl. LXIII.

nor create new Peers out of the Anglo-Irish themselves, the result was that by 1500 three families alone, Butlers and two Fitzgeralds, divided between them all Ireland south of the Upper Boyne and Limerick.

Ireland had completely fallen into the hands of a warlike noblesse—" the great of lineage." Of course Britain itself showed the same phenomenon. The greater part of Wales and the Southwest, and almost the whole North above the Mersey and the Humber was a medley of palatinates, baronies, and liberties, ruled by feudal and march law.

The reduction of these to Common law was one of the first tasks of the New Monarchy. The reduction of the Irish palatinates seemed a similar task, just as essential to law and order. But in Ireland the feudal lords were able to call to their defence national and religious passion, and the suppression of these great Liberties had to become operations against Irish speech, custom, popular feeling and Catholic sentiment.

Another result of the Absenteeism of the Crown was the general revival of the Irish world, in speech, law, land tenure and the social order. The Norman-English-Welsh who effected the temporary conquest of two-thirds of the island, few in themselves and never reinforced by fresh colonies, were inevitably destined to become a semi-Gaelic aristocracy ruling over that mass of Gaelic humanity which swamped the Englishry. Inevitably, after the moment passes in the 13th century, when Ireland might have been made a second England, the dominant English, where they did not emigrate or died out, turned Irish as surely as the Franks in the Holy Land turned into Orientals.

This is not to say that the masses of the colonists lost all pride in their Englishry. Right up to the fall of the House of Kildare, the Old English prided themselves on a sort of colonial or "middle nation" patriotism much like the 18th century patriotism of Grattan and Charlemont. A dozen times between 1200 and 1500 they might have rejected England as Scotland under the

Bruces did, but, high as their resentment rose and great as their Home Rule independence grew, they never openly broke with England. But under cover of this Old English nationalism the Anglo-Irish developed a great if unpolitical affection for native things. Some of their Gaelic aspects were of necessity. Thus, while everywhere, even in Connacht, they retained English feudal tenures, rules of land-succession and inheritance, and much manorial jurisdiction and custom, they took over, as something too deeply rooted and indeed too suited to the country to be displaced, the old Gaelic communal organisation. The betagh system indeed practically disappeared, even as villeinage did in England, but the old Irish rural economy, the renting of stock and land on short leases, based on the old " saer " and "daer-chéile " tenures, survived, and indeed displaced English innovations.

Everywhere after 1330, underneath the surviving English socage, free-hold, burgage, and knightly tenants, we find on the great lordships inferior tenants, generally Irish, called "*gabelarii*" or gavellers, "*firmarii*" or farmers, and "*catalarii*." They hold demesne land, land taken into cultivation, and former betagh land. Correlation of entries about them in the manor surveys supports the view that these were free tenants holding land or stock of the lord subject to money rent, to works, dues in kind, and heriots similar to those of villeins. They held their land in common in the firm-rooted Irish way, and favoured short leases which allowed them if unsatisfied to find other lords and get better terms.[1]

As with land, so with Brehon law; the Anglo-Irish adopted it, partly of necessity, partly because their subjects had an invincible attachment to it, partly because the profits were so great, and besides, their own origins dated back to a time when primitive feudal

[1] For *gavelarii* etc see *Cal. Docs. Ir. passim* and *Just. Rolls. Cal. Gormanston Reg.* p. 21 : " from the manor of Gormanston . . . fines of farmers at will received every twelve years by the custom there " (1363).

Celtic and Germanic law had nothing repugnant for one another.

Everywhere in the 16th century the Tudor officials found the "degenerate English" using Brehon law. Even Sir Piers Rua, afterwards Earl of Ossory and Ormond, had an Irish brehon over his country, one "Rory MacLaughire." The Desmond earls before 1500 had adopted as their chief "ollav" or professor of native law, one of the famed O'Maelconaire family.[1]

That form of patriarchal union which we call for want of a better word, the clan system, had by now asserted itself among all the old English, even in the towns and the Pale. Under the circumstances of Ireland it was an inevitable development. Thus in 1543 we find several Burkes, chiefs of five small septs of that name, accepting the arbitration of the King's Deputy, Clanrickard, the Archbishop of Tuam, the Bishop of Clonfert, and a famous brehon, Boethius or "Bæthghalach" MacEgan, over a townland in dispute between them and Galway city. The award being duly given was signed at St. Francis' monastery in Galway by the arbitrators, and Boethius signs and agrees in Irish.

So in the deeds and wills of the Blake family of Athenry, we find strict entail on the male line, alienation to strangers of family property barred, females excluded from inheritance. This family becomes a clan making laws for itself, and a latin deed of as late as 1527 says—"a woman ought not and cannot be heir according to the custom and ordinance of the Blake nation."[2]

But it was in language above all that the old English

[1] MacLaughire's true name was Ruaidhri Mag Fhlannchadha: see O'Rahilly *Irish poets etc in English documents P.R.I.A.* 1922. *Ann. Loch Cé* 1519: "died Mailin, son of Torna O'Maelconaire, a man whom the Geraldine English chose before all the *ollamhs* of Erin." In 1562, it is stated, "many lords *even within the English counties* do take *cáins* (money-atonements) etc by brehon law and keep brehons" (*Cal. Carew MSS.* I. p. 343).

[2] *Blake Records* 1. nos. 65, 84, 102-3, MacEgan is described as "*arbiter secularis*" which just expresses what the Irish brehon was.

became one with the native people. French died out, and English became limited to the towns, the southern baronies of Wexford where Strongbow's colony preserved till the 19th century a curious composite speech mainly derived from Somerset and the southwest of England, with some Flemish and Irish thrown in, and Fingall with the eastern portions of the pale reaching from Ardee to Dublin. The rulers of Anglo-Ireland under Home Rule, such as the Ormond and Kildare Earls and the nearer gentry, certainly adopted and spoke English, but in the 16th century, among the Burkes and Desmonds, it was an accomplishment to be remarked upon. Thus when Henry VIII appointed Roland de Burgo, grandson of Ulick Lord Clanrickard, bishop of Clonfert in 1541, Roland could neither understand nor speak English. A little earlier it was reported as something unexpected among the Munster nobility, that Sir John of Desmond, an old man, and son of Earl Thomas executed at Drogheda, "could speak very good English," and so could his nephew James, 12th Earl though his mother was a MacCarthy, and "wore his hair and cap English fashion." [1]

The affection of the Old English for the native tongue and no less for the literature and culture it enshrined was scarcely less now than that of the native chiefs themselves.[2] And this affection which at first had been a necessity soon became a passion, as the Tudor Reconquest degenerated into a crusade against not only the oldtime liberties of Gaelic and Norman lords, but against the language, lore, culture and faith of most Irishmen. The Irish language then became the passionate symbol of a patriotism which now England's first colonists had embraced little less warmly than the Old Irish themselves.

In 1600 a spy unnamed wrote to Cecil—"there is great danger to the English Pale from the Irish house

[1] For Roland see *Haliday MSS. Hist. MSS. Comm* : *15th Rep. pt.* 3 p. 226. Cokayne's *Complete Peerage* ed. Gibbs under *Desmond* : report of Captain ap Parry to Cromwell in 1535.

[2] For some illustrations see my *Spoken languages of mediæval Ireland* in *Studies* : 1919.

at Douay, of which Christopher Cusack is chief. Sixty young gentleman are here, eldest sons of the principal gentry of the Pale, namely Plunkett, Barnewall, Rochefort, and many merchants' sons of Dublin and Drogheda; they pray for Tyrone and speak all Irish, and it is to be feared that these offspring of the colonies of the English conquest may become in language and disposition fermented with the ancient hatred of Irish to English." [1]

While, however, all the "march English" and an ever-growing portion of the Pale accepted Irish habit and speech, the towns remained a stronghold of Englishism.

By 1500 the Anglo-Irish towns had dwindled very greatly in number. Generally the more flourishing ones were along the sea, and on the great river systems of the Nore, Barrow, and Suir. But Meath, lowland Leinster, and the Desmond lands still contained many prosperous and highly privileged boroughs.

As with England and other mediæval countries, an ever-growing oligarchy got hold of the town governments and concentrated into the hands of a few families powers based on successive charters of liberties, and on the policy of government to throw responsibility upon the towns and their ruling class.

In many cases the local gentry got freeman rights, enlisted the burgesses in their wars, and put the town government into their pockets, so that acts of Poynings' parliament had to prohibit citizens of any town from receiving livery or wages of any lord or gentleman, and forbade admission of any one as alderman, juror, or freeman, save he have been prentice or inhabitant of the town.

These town oligarchies, of whom the most familiar instance is the Old English or Anglo-Welsh Tribes of Galway, were far more English than the population they ruled. Thus in 1402 the Provost and twelve chief burgesses of Cloyne, elected by the burgesses and approved

[1] *State Papers Domestic* 1598-1601 p. 496.

by their lord the Bishop, are all English.[1] So in 1444 when there was a dispute between the Prior of St. John's at Ardee and the burgesses, which was settled by the archbishop of Armagh, the reeve or provost is called Nicholl, the proctor for the burgesses is one Lovell, and of the witnesses fifteen names are English.[2]

These oligarchies were officially supposed to be anti-Irish, but there is plenty of evidence that members of the Irish race were numerous in the boroughs, sometimes in the upper orders, and clearly in the less privileged. By 1350 we find many Irish names among the officers of the boroughs, and later some of the most famous civic names were of Gaelic origin, such as Lynch, Kirwan, Nolan, Fallon, Tully of Galway; Creagh of Limerick, and Meagh of Cork.[3] Among the grants of English liberty to Irishmen, many are to people already domiciled in the towns, and we have shown in an earlier chapter that the towns were liberal in admitting Irishmen.

The towns being so favoured by government and within its reach, the civic rulers were bound officially to put anti-Irish statutes such as those of Kilkenny into effect. Waterford and Dublin being the most English did this with readiness and added ordinances of their own. Hence in Waterford, by ordinance of 1384, it was an offence to call another citizen "Irishman," the punishment being fine of a mark, to be paid to the victim. In a later ordinance of 1482 it was enacted that "no manere man, free or foreigner, shall plead or defend in the Irish tongue," but must have an interpreter, "except one party be of the countrye, then every such dweller shall be at liberty to speak Yrish." But even this shows that the use of Irish was so common as to need restricting. There was clearly no animus against peaceful domiciled or denized Irishmen, but only against "Irish enemies" and such Old English as embraced Irish law. In 1459-60

[1] *Pipe Roll Cloyne*, in *Cork Hist. and Arch. Soc. Sept.*, 1917, p. 167.
[2] Reg. of Archbishop Mey (MS. copy T.C.D. III. p. 593).
[3] See the various town histories by Ryland, Hardiman, Lenihan, etc., the *Red Book of Kilkenny* and *Statutes of Waterford* and *Galway* in *Hist. MSS. Comm.* 10*th Rep. App.* pt. V.

it was enacted that civic freedom and admission to trades could only be obtained by Irishmen after they had got English liberty from the King, and undertaken to be of Englisharray, habit and apparel-no unreasonable demand.

The mediæval town, jealous of its monopolies, looked with suspicion on all "foreigners," which meant all men from without. Especially was this so in the Irish towns, surrounded by so many grasping Norman and Celtic lords. But once you were free of the borough, your origin and ancestry became unimportant, and a domiciled Irishman was no longer an "Irish enemy." It is clear from our evidence that most of the excluding statutes of the 15th century were dead letters and meant to be so. As for the Irish language, it was the mayor and citizens of Limerick, and Wellesley and Lenfaunt, knights of Kildare, who interpreted the submissions of several of the great chiefs to Richard II.[1] Much later, early in James I's reign, Fynes Moryson wrote in his *Commonwealth of Ireland* thus: "the English-Irish and the very citizens, excepting those of Dublin where the Lord deputy resides, though they could speak English as well as we, yet commonly speak Irish among themselves, and were hardly induced by our familiar conversation to speak English with us." This was the culmination of the floodtide of Irish revival which began about 1300, and reached the towns last of all.

"Old Irish" and "Old English" was in the 16th century the recognised distinction between the two races of Ireland. In a fragment of Ulster, in Louth and most of ancient Meath, in lowland Leinster, and all Munster save Kerry and Clare, the English were the dominant upper class. In county Limerick in Elizabeth's reign, we find that out of thirty-eight chief names, thirty-two are Norman-English, and in twelve Norman manors in Kilkenny and Tipperary, out of 198 chief tenants, only twenty are Irish.[2]

[1] See Chapter XI. Thomas Kildare, Mayor of Limerick, and John Galwey, citizen of Limerick, interpreted for the Ormond chiefs and for Cormac and Donal MacCarthy before Richard.

[2] *Cal. Carew* MSS. 1 no. 635 and p. 402.

The " degenerate English " had never been deprived of their legal rights, while the mass of the Irish, living under Brehon law, remained till James the First's reign excluded from the Common law. To be of the blood of the conquest was the boast of all who could assert it ; a traditional dislike of Irish enemies was maintained, as we find in Lord Gormanston's remark after Knocktoe ; and sometimes Anglo-Irishmen by their wills sought to confine the benefits to their own " English nations." [1]

Every effort on the part of the State was made to prevent feudal land passing into Irish hands. Yet certainly in Munster and Connacht free trade in land broke down the racial barrier, and we find in 1488 John Baret, Lord of Cloch Philip, granting the " vill of that name, with meadows, mills, etc., to Eugene, son of Thadeus, son of Cormac MacCarthy and his heirs for ever." [2]

But indeed the distinction between the races was fast becoming a distinction without a difference. To Tudor Englishmen there was little to distinguish the once-Norman colonist in speech, dress and habit from the Celt, and even when the former spoke English it was of a kind so isolated and pre-Chaucerian, as scarce to be understood.

As for blood, few of the Old English were without a Gaelic strain, and many a Gaelic chief had wedded an earl's daughter or had an Englishwoman for mother. Shane O'Neill is often taken for the typical Irish Celt, yet in fact his grandmother was a FitzGerald. Red Hugh O'Donnell, the hero and embodiment of Celtic Ireland, was descended on one side from Thomas, seventh Earl of Kildare, while on the other side, an earl of Argyle was his great-grandsire. Certainly the Kildare earls after the Conquest had always married Anglo-French, and Silken Thomas had an Anglo-Irish grandmother and a pure English mother. But as for the Munster

[1] *Alan's Reg.* op. cit. fol. 133 · will of John Aleyn, Dean of St. Patrick's Dublin—a house to be built for eleven paupers *who shall be good catholics, of English descent, and chiefly of the nations of the Barrets, Beggers, Hillis, Dyllons and Rodiers.*

[2] See Caulfield in *Cork Arch. Soc.* 1904 p. 259.

Geraldines, four earls between 1470 and 1540 married Irish, and two had Irish mothers.

So tenacious was the Irish tradition that still most of the Gaelic stock lived in the thoughts of five centuries gone. Till Elizabeth's reign their chiefs fought battles over quarrels older than the Conquest. In 1543 the Deputy St. Leger and the Council intervened between Conn O'Neill and Manus O'Donnell as to which of them was rightly suzerain of Inishowen, lord of Cenel Moen, and overlord of Maguire, O'Ruairc, and Mac Mahon; and further whether O'Donnell himself did not owe homage to Tyrone? The Viceroy and Council contemptuously reported that these claims were based on "certain parchments and old tracts (*libelli*) composed by vain poets and *ploratores* of Irish history, hired for small reward and blinded by affection for their lords." But they awarded Inishowen to O'Donnell with a head rent to O'Neill, declared O'Donnell independent, and forbade both to exact tribute, bonnacht or service outside their own territories.[1]

Still, to the close of the sixteenth century the office of the "captain of his nation" remained an elective patriarchal one, and Shane O'Neill, that great champion of the old racial order, boldly declared that the chief had no interest but for life, and that the King could not make an earl of a chief.[2]

Still was the Irish "country," which was sometimes as great as modern Clare or Donegal, divided into the lord's demesne land; the lands of the freeholders such as near kinsmen, brehons, poets, galloglass chiefs; and "chargeable land" which provided the lord with tributes, services and quarters for his fighting forces. Sometimes the demesne was small, as five thousand acres in Maguire's country of Fermanagh; sometimes large, as thirty-seven plowlands out of the ninety-three which made up Ely O'Carroll; or seven and a half quarters (27,00 acres)

[1] *Cal. Carew MSS.* 1 p. 204.
[2] *Ibid.* pp. 305, 307, 312, 314

which O'Sullivan Mór in 1586 had out of the total of fifteen quarters which made up his country.[1]

For all that, things were moving towards a more modern, feudal, and State chieftain, an hereditary landlord after the European fashion. Naturally the weight of the powerful Tudor Monarchy was thrown into the balance. Thus when Sir Cormac MacTaig MacCarthy of Muskerry made his will in 1583, he placated both the State and vested clan-interests by leaving the lordship to three Tanists in succession, his brother and two nephews, then to his son Cormac Óg and his heirs male, so that Irish Tanistry should then expire.[2]

Far greater, too, than in 1100 was the chief's personal power in men and revenues, in private property, in war strength, in the so-called Irish " cuttings and cessings," such as we have described touching the Old English lords. Thus while O'Sullivan Mór in 1586 had half the country for demesne, the rest going in shares to the Tanist, to the next in claim to the Tanist, and then to the nearest of the royal kin, yet the chief had also four quarters of land belonging to his lordship of Dunboy—" dibadh," private, or " sword " land, the brehons would have called it.

Out of such a traditionalistic world and race came that Gaelic literature which, in its imaginative, its rhythmical, and its scholarly expression, kept the Gaelic race of 1600 in direct touch with the Ireland of a thousand years before, and enables us moderns to read our history back to days even before the pagan Celts, the most remarkable literary succession in modern Europe.

To the casual unsympathetic eye the dry annals tell little of most Irish chiefs to boast of, yet when we read that the great book of Ballymote, only one among the great survivors, was written for MacDonagh, chief of Tirerril,

[1] See Bonn *Englische Kolonisation*, Mrs. Green on " Irish land in the 16th century," in *Eriú* 1907, and the contemporary works of Davies.

[2] *Cork Arch. Soc.* 1892 p. 193.

Corann and Airtech, in Sligo and Roscommon, about 1390, we find that this book-miscellany of five hundred pages of the largest folio vellum contains among other things the *Leabhar Gabhála* or story of the first pre-Celtic conquests of Ireland, the history of Niall Nine Hostages, the Book of Rights, a translation into Irish of Nennius' *Historia Brittonum.*

The Irish pre-occupation with antiquity may have been a fault in the Gaelic aristocracy, making them incapable of that compromise with the modern world of the Tudors which alone could have saved them; yet if we could read of an English nobleman of 1400 having preserved to us some work, part legend, part history, of Britain before Cæsar, scholars and patriots would at least in their gratitude ask no more.[1]

But in literature as in all else, the native race of 1500 was taking the impress of a new, a Renaissance Europe.

Not a single Gaelic chief in 1395, among the many who came to King Richard, took his oath of submission in any other language than Irish. Yet at the end of the following century the upper classes of the Irish were studying English, French and Spanish. The *Book of Lismore*, compiled *circa* 1500 for Finghin MacCarthy Reagh, whose wife was Catherine, daughter of Thomas earl of Desmond, contains a translation of the book of Marco Polo. Finghin O'Mahony about 1475 translated Maundeville's Travels from English, and Irish versions of Turpin's Chronicle, the Adventures of Guy of Warwick, the triumphs of Charlemagne, etc., show that Southern Ireland had its window towards Europe.

But as the type par excellence of the new Gaelic lord we may turn to Manus O'Donnell, son of Aedh Óg and grandson of Aedh Rua. Manus, who became chief in 1537, was first wedded to Joan, sister of Conn Bacach O'Neill and granddaughter of Thomas, seventh earl of Kildare. His second wife was Eleanor FitzGerald,

[1] See O'Curry's *MSS. Materials* p. 189, and for an eloquent and stirring appreciation of Gaelic literature and Irish learning in these and earlier times Mrs. Green's *Making of Ireland* and *Old Irish World.*

daughter of the great Earl of Kildare. Both Manus' father and grandsire had visited the courts of England, Dublin, Scotland and Rome, and if when the Deputy St. Leger met Manus in 1540 at Cavan, he expected to meet some rude Irish lord, he was instead greeted, as he records, by an elegant gentleman, magnificently dressed in crimson velvet, whose chaplain was "a right sober young man, well learned and brought up in France" and who undertook to accept Henry as King of Ireland, asking in return a title worthy of his rank.

But English or annalistic records would not give us the true civilisation of a personage such as Manus. For him was compiled in 1532, and he himself did much of the editing, a voluminous *Life of Colmcille*, the patron saint and legended hero of Tyrconnell.[1]

Manus was further a charming poet in the native tongue, and of the love verse which has come down to us, four poems of his, one of which is addressed to that "daughter of the Earl" whom he wedded, are among the most charming and heartfelt.[2]

Thee seemed little reason why both the English and the Irish of Ireland should not be happily and honorably reconciled with one another under that hereditary Lord of Ireland, whose claim both had constantly admitted.

In spite of a Chinese persistence in venerable custom, in spite of the adherence to "the laws of Cormac Mac Art," which, wrote the Four Masters in 1616, "have bound the Irish to this day," against the personal and patriotic opposition of that great class of Gaelic literati, it is probable that the chiefs, won over by royal peerages, would have won over their people to accept the kingdom of Ireland. Henry VIII, "by sober waies, politique drifts, and amiable perswasions" did indeed induce them in 1541 to confer on him the Crown of Ireland "as united and knit to the Crown of England," and to accept in

[1] *Betha Colaim Chille*, now published by A. O'Kelleher (1918) from the MS. in the Bodleian—text and translation making 445 pp. of large octavo.

[2] *Dánta gradha*: a collection of Irish love-poetry of the 16th and 17th centuries, edited T. F. O'Rahilly (1916).

return earldoms of Tyrone, Thomond, Clanrickard, baronies of Upper Ossory and the like.

As the Irish Lords had in Henry FitzEmpress accepted a foreign Ard Rí, so in Henry VIII they accepted a King of Ireland who was a foreigner indeed, but also a great grandson of the beloved Richard of York, and in whose veins flowed richly the blood of Mortimers, Burgos, Lacys and O'Briens. To win over the Norman and Celtic lords to that loftier dignity of King which he took instead of the old Rome-given Lordship was a master stroke. And had Henry Tudor seized the moment, as unhappily he did not, to bring all the Irish into the law, to form the government of native born, to care as much for raising the poor as for bribing the rich; had he set a model to his successors to deal tenderly with the land, language and race-traditions of the people, to admit Catholicism as compatible with loyalty, and to touch the national pride by a separate coronation and frequent visits of the Crown in person—no doubt can exist that the Kingdom of Ireland, revived after four centuries, would have rooted itself deep in the hearts of the fast-blending races of Ireland.

But before it was even tried, there came successively the Reformation, the Re-conquest, the Confiscations, driving Old English and Irish into a common union and a common resentment, and deferring to our own time the honorable reconcilement of Ireland with England.

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